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47. NO. 1 NEW YORK, U. S. A., TUESDAY, JANUARY 2, 1940 TEN CENTS

1967

1939 Radio's Biggest Year, Says Sarnoff

9,000,000 More Sets Sold; Employment Jumps

"Radio in 1939 enjoyed its greatest year," David Sarnoff, RCA president, declared in his annual year-end statement. Pointing out that the birth-date of broadcasting in the United States is generally regarded as Election Day, 1920, Sarnoff added: "In all history, no other industry ever crammed so much amazing progress into one 20-year span."

Sarnoff declared that more people "will actually see and hear the presidential candidates in 1940 by television, than heard the 1920 election returns by sound broadcasting."

9,000,000 Sets Sold in 1939

More than 9,000,000 radio receivers were sold this year, bringing the U. S. total to 45,000,000 in homes and automobiles, he said and characterized those who predicted that the introduction of television would reduce radio sales as "poor prophets."

The radio industry gives employment to 400,000 persons in this country and the annual payroll is in excess of $500,000,000, according to Sarnoff. In the RCA organization, employment rose approximately 15 per cent during the year, from 20,400 in 1938 to 23,500 in 1939.

'U' Heads to West For Product Talks

Nate J. Blumberg, Universal president, and other home office executives will leave for the Coast on Friday to inaugurate discussions on the comcompany's new season production schedule.

William A. Scully, vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, will accompany Blumberg to the studio. J. Cheever Cowdin, Universal board chairman, who returned to New York from the coast over the weekend, will return there by plane on Saturday or Sunday to participate in the conferences.

Cliff Work, Universal studio head; Matthew J. Fox, vice-president, and John Joseph, advertising and publicity director, will represent the studio at the meetings, which are expected to continue for a week or 10 days.

Goldwyn Silent On Next Legal Move; Action Up to Steuer

Hollywood, Jan. 1.—Samuel Goldwyn today declined to discuss with reporters his next move in his protracted legal efforts to terminate his exclusive distribution contract with United Artists.

The producer insisted as he has on other occasions that Max D. Steuer, his New York attorney, is in complete and sole charge of the litigation and that any and all statements in the matter must come from him.

Inquiries as to whether a new suit would be instituted in view of the dismissal of the original action in the Wilmington Federal court last week, were referred to Steuer, as were all other interrogations put by newsmen.

Max D. Steuer maintained his silence on the Samuel Goldwyn suit dismissal and the next move in the producer's United Artists litigation over the weekend. At the attorney's office it was stated that Steuer was still confined to his home with a cold and that no comment would be made in his absence.

However, trade opinion holds that

(*Continued on page* 8)

Walker and Mayor Talk Eastern Films

Former Mayor James J. Walker conferred with Mayor LaGuardia Friday in reference to the Mayor's campaign for Eastern film production. Walker refused to comment on the discussion and referred reporters to LaGuardia.

LaGuardia said he had discussed the situation generally with Walker who had offered to support the plan. The Mayor indicated that Walker represented exhibitors who favor increased Eastern production, but declined to identify those whom Walker represented.

Referring to the status of production itself, the Mayor said:

"Some points are now beyond the pioneering stage; others are rounding out into practical shape."

Leon Bergere, who claims to rep-

(*Continued on page* 8)

'Raffles' Plays Roxy Following 'Swanee'

"Raffles," Samuel Goldwyn-United Artists picture, will play at the Roxy following the run of "Swanee River." The latter film opened at the theatre last Friday, and its stay is indefinite.

Radio Control Pact Ratified by Mexico

Mexico City, Jan. 1.—The Mexican Senate has at last ratified the North American Radio Control Agreements entered into at the Havana convention in December, 1937.

The long-delayed ratification here is seen as eliminating the difficulties which caused United States and Canadian stations considerable trouble. The Senate acted only after long and persistent urging by most Mexican stations.

The agreements allocate wave lengths in the Americas and serve to prevent "jamming" of the air lanes.

Bondy Delays RKO Hearing to Jan. 9

Hearings on the proceedings of RKO were adjourned Friday to Jan. 9 at 2:30 P. M. by Federal Judge Bondy at the request of Hamilton C. Rickaby, attorney for Atlas Corp.

Rickaby told Judge Bondy that the adjournment was necessary to await a U. S. Supreme Court decision on applications to review the order which confirmed the reorganization plan.

He announced that subscription warrants under the underwriting agreement had been offered to RKO creditors on Dec. 22 and that the offer would expire on Jan. 8. In order to expedite the carrying out of the agreement, he stated, the time to exercise the option to purchase new stock had been shortened from 20 to 17 days.

O. C. Duering, attorney for the Irving Trust Co., is preparing an order transferring RKO assets from Irving Trust Co. to the new RKO company, Rickaby said.

Mutual Net Revises Its Financial Set-Up

A revision of the capital stock division of Mutual under which seven independent broadcasting organizations controlling 57 of Mutual's 124 stations will share the stock and underwrite the financial operations of the network, was announced Friday by W. E. Macfarlane, president. All 57 stations have renewed their contracts with Mutual for five years, effective Feb. 1.

The stock will be distributed among WGN, Chicago; WOR, Newark; the Don Lee network with 33 stations in

(*Continued on page* 8)

Film, Air Bills Face Big Tests By Congress

Neely Measure to Cause Greatest Debate

Washington, Jan. 1.—Passage by the House of the Neely block booking bill, already approved by the Senate, tonight loomed as the greatest legislative threat facing the film industry in the session of Congress which convenes Wednesday.

Although a number of measures affecting the motion picture and radio industries are pending in Congress, held over from the last regular session, the block booking legislation is seen by observers in Washington as the only one likely to be enacted although, if the Administration presses, it is possible reorganization of the Federal Communications Commission will be taken up.

Only three film bills received attention at the last session, the Neely bill which was passed by the Senate; the Barbour bill to lift the ban on fight films, also passed by the Senate; and the Johnson bill to ban liquor advertising by radio, heard by a Senate committee which submitted both majority and minority reports.

There are, however, a number of

(*Continued on page* 2)

Coast Flashes

Hollywood, Jan. 1.—Discussions have been held between Samuel Goldwyn and Warners concerning distribution by the latter of Goldwyn's latest film, "The Westerner." Disposition of that picture was not mentioned when Goldwyn two weeks ago announced that he had terminated his distribution contract with United Artists.

Hollywood, Jan. 1.—Pandro S. Berman, former RKO production head, will become associated with M-G-M upon completion of his current vacation. Berman is at Sun Valley, Idaho. He plans to go from there to New York to confer with M-G-M home office officials.

Year in Review

A review of the year 1939 in the motion picture industry, as recorded in the day-by-day headlines from *Motion Picture Daily*, appears in this issue, beginning on Page 4.

Blumberg Is Host To Trade Officials

Nate J. Blumberg, Universal president, and William A. Scully, vice-president and general sales manager, were hosts Friday to a large number of New York trade officials and press representatives at the Astor Hotel.

The occasion was in the nature of an annual New Year's party inaugurated by Blumberg two years ago upon becoming president of Universal.

Among those present were: Blumberg and Scully, F. J. A. McCarthy, William Heineman, Joseph Seidelman, Spyros Skouras, Arthur Mayer, Malcolm Kingsberg, Leon Goldberg, George Skouras, John Nolan, Lou Pollock, Andrew Sharick, Tom Meade, Walter Reade, Arthur Rapf, Leo Abrams, Sam Shain, Harry Goldberg, John J. O'Connor, Jules Levy, Al Suchman, Fred Meyers, Jack Shea, H. J. Yates, Max Cohen, Harry Brandt, Ed Peskay, Sol Schwartz and Joseph O'Brien.

Also Harry Mandel, Leo Justin, Harry Emde, Lou Goldberg, Harry Pimstein, Milton Maier, Max Fellerman, Daniel Shaefer, Jules Brulatour, Joseph Seider, David Chatkin, Bud Rogers, Daniel Collins, William Freiday, William German, Ethel Wilson, Francis Levin, Mona Reilly, Loretta Casserly, Hank Linet, William Joffe, Maurice Kann, John Flynn, Pete Harrison, Charles Lewis, William Ornstein, Al Steen and Sherwin Kane.

22 Para. Releases For Next 5 Months

Paramount's release schedule of 22 pictures for the next five months was announced as follows over the weekend by Neil F. Agnew, vice-president in charge of distribution:

January—"Emergency Squad," "Geronimo," "Sante Fe Marshal," and "Remember the Night."

February—"Parole Fixer," "The Light That Failed," "Sidewalks of London" and "Knights of the Range."

March—"Seventeen," "Adventure in Diamonds," "Women Without Names," "Road to Singapore" and "The Farmer's Daughter."

April—"Dr. Cyclops," "Opened by Mistake," "French Without Tears" and "The Biscuit Eater."

May—"Way of All Flesh," "Showdown," "Typhoon," "Light of the Western Stars" and "Buck Benny Rides Again."

Ida Bartel Dies

CLEVELAND, Jan. 1.—Ida Bartel, veteran film exchange employe here, died late last week of a heart attack. She was with M-G-M 11 years.

Get Press Book Jobs

Lynn Farnol, United Artists publicity and advertising director, has promoted Thomas McCabe, Robert Gildersleeve and Ned Norwich to jobs in the press book department.

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MEETING and EATING PLACE
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Feature Reviews

"City of Chance"

(20th Century-Fox)

HOLLYWOOD, Jan. 1.—Using as introductory technique, that of a newsreel, with varied scenes and off-screen comment depicting the universality of the gambling spirit in a large city, "City of Chance" thereafter concerns itself with the events of one night in a de luxe gambling house.

Seen as partners running the resort are C. Aubrey Smith and Donald Woods, while Lynn Bari is cast as a reporter sent out to expose the resort, Amanda Duff as a society girl who is being blackmailed, and Richard Lane as a gangster who wants to control the resort.

Melodramatic elements of the story are more prominent than the comedy touches, which were well received by the preview audience.

John Larkin and Barry Trivers were responsible for the original screenplay, with Ricardo Cortez directing, the picture having come from the Sol Wurtzel side of the studio.

Running time, 58 minutes. "G."* WALTER SELDEN

"Katia"

(Mayer & Burstyn)

The tragic romance of a young girl and a monarch, which ends in his assassination, this French production of E. A. Algazy for Metropa Films of Paris, offers Danielle Darrieux an opportunity to demonstrate once more her skill as an actress of charm and versatility.

Her performance is the outstanding entertainment factor in the production, wherein English subtitles permit understanding for those unfamiliar with French.

The girl is a daughter of Russian nobility of the middle 19th Century, the monarch young Alexander II. Despite the traditional enmity of her family for the Romanoffs, she meets and falls in love with Alexander, and he with her. Her effort to persuade him to grant a constitution to the Russian people she loves fails only when his assassination occurs a few days before her coronation and following her secret marriage to the Czar, then a widower.

John Loder, as Alexander, is hardly more than adequate, being rather too stiff for easy handling of the role. Maurice Tourneur directed from a screenplay by Jean-Jacques Bernard.

Running time, 80 minutes. "G."* CHARLES S. AARONSON

---

*"G" denotes general classification.

Congress to Settle Fate of Film Bills

(Continued from page 1)

other measures pending, including bills to create a Federal motion picture commission, to ban alien actors, to try films out for the recording of court trials and to establish a Bureau of Fine Arts.

While there are no indications that any important new film measures will be introduced during the coming session, it is expected that new copyright legislation will be introduced and an effort made to obtain its enactment, the success of which, however, is doubtful. Past history of copyright legislation shows that it takes two full sessions to obtain consideration by both houses.

Radio Measures Coming Up

In the field of radio legislation, the Administration drive for reorganization of the F.C.C., which President Roosevelt has been represented as ready to drop in view of the "improvement" in that body, and the campaign for investigation of the commission are the most important activities carried over into the new session.

Other measures affecting radio include bills for establishment of a Government broadcasting station, for further experimental use of super-power, and for restrictions on radio advertising.

Paramount Theatre Grosses $1,920,000

Paramount theatre, under Robert Weitman, managing director, grossed an estimated $1,920,000 during 1939, it was revealed over the week-end. This figure does not include the grosses for "Gulliver's Travels" and "The Great Victor Herbert."

The average annual gross during the past five years has been an estimated $1,699,000. In 1935, when Paramount inaugurated its stage band policy, the gross was $1,209,652. This figure, compared with the gross for 1939, shows the effectiveness of the new policy.

Streimer Testifying

BOSTON, Jan. 1.—Moe Streimer, New York branch manager for United Artists, tomorrow will continue his testimony in the Morse & Rothenberg anti-trust action against major companies here. Streimer began his testimony Friday.

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PERCY E. FURBER, vice-president Trans-Lux Movies Corp., and MRS. FURBER left over the weekend on a 12-day cruise to Venezuela.

•

CLIFF REID, RKO associate producer, arrived in town over the week-end from the Coast.

•

CHARLES LAUGHTON starts a personal appearance tour in the South tomorrow at the Fox, Atlanta.

•

MITCHELL MAY, JR., returned from Miami over the weekend.

•

BASIL BLECK, attorney for ALEXANDER KORDA, returned to England Saturday on the *Manhattan* after several weeks here and in Hollywood.

•

DON AMECHE returned to the 20th Century-Fox studio over the week-after a brief stay in New York.

•

JOSE SCHOR of Columbia is vacationing in the South.

•

PEYTON GIBSON of Universal has gone to the Coast for a brief studio visit.

•

JESSE L. LASKY is expected in New York from the Coast tomorrow.

•

JACK COHN and MRS. COHN are expected back from a brief Florida holiday within the next few days.

•

SAM SHAIN has gone South on a week's trip.

•

WILLIAM LEVINE of the M-G-M contract department has announced his engagement to Beatrice Harris. The wedding will take place in April.

•

WILLIAM LONGDON and LILLIAN WILSON, both of the M-G-M exchange in Charlotte, have just disclosed their marriage of three months ago.

•

EDWARD RENICK, Boston salesman for M-G-M, has been spending his vacation in New York.

•

ANTHONY Z. NELLE, foreign film director, leaves this week for Hollywood. He is negotiating for a studio post.

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SWANEE RIVER

Biggest opening in history of Roxy Theatre

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Headlines Review the Motion Picture Year

January

Jan. 3.—U.A. leading way in use of film to promote Pan-American ties. "Letty Lynton" authors awarded $532,152 against M-G-M.

Jan. 4.—Contest entries in Movie Quiz at 2,000,000 below estimates.

Jan. 5.—Few film bills before Congress. RKO plan approved by Judge Bondy.

Jan. 6.—Roosevelt urges ticket tax retention. Trust suit and pact talks slow production programs.

Jan. 9.—Alexander Korda to produce chiefly on Coast, report. Paramount arranging $5,000,000 loan to retire debentures.

Jan. 10.—Vivien Leigh gets "Gone With the Wind" role. Kent, Schaefer, Depinet meet M.P.T.O.A. here. Odeon to get $25,000,000 for expansion.

Jan. 11.—Plan of Weisman calls for liquidation of Fox Theatres. Paramount sets call of $5,000,000 in debentures.

Jan. 12.—Arbitration procedure seen major problem of trade pact negotiations. Divorcement of theatres asked in Nebraska bill.

Jan. 13.—Agree on new phraseology in trade pact talks. A.F.R.A. board calls for walkout vote by members.

Jan. 16.—Distributors trade pact to be rewritten. Picture merit basis of U.A. releasing plan. 1939 production budget is put at $150,000,000.

Jan. 17.—Decision on pact by Allied due today at board meeting. Plan change in wage law after study.

Jan. 18.—Allied postpones decision on pact. RKO to make 40-48 films for 1939-'40. Actor unions to back A.F.R.A. in strike move.

Jan. 19.—U.A. partners vote sliding scale plan. Cole elected president of Allied States.

Jan. 20.—New York A.F.R.A. local votes to strike. Distributors alter trade pact following M.P.T.O.A. talks.

Jan. 23.—Threat of radio walkout fades as U.S. conciliator is named. Moss brings pressure to end New York games.

Jan. 24.—A.F.R.A. to deal with producers and agencies. Cole foresees changes in the industry structure.

Jan. 25.—Roosevelt urges discarding of F.C.C. RKO to show profit in 1938 of $125,000. Loew profit $9,924,934.

Jan. 26.—Majors to put trade pact in effect regardless of Allied attitude. Expect Paramount fourth quarter earnings of $2,200,000.

Jan. 27.—Neighborhood scales cut by Loew and RKO in New York. Twenty-five theatres razed in Chilean earthquake.

Jan. 30.—Ten studios face N.L.R.B. charges for alleged labor act violations. 1938 theatre building jobs decline to 751.

Jan. 31.—Supreme Court accepts Paramount North Dakota case on divorcement law. British bill to seek revision of Films Act.

February

Feb. 1.—New York State bill urges tax on amusements. Television seen creating market for the dramatist.

Feb. 2.—Local conciliation boards expected to be established in a few months. Tyrone Power taken off radio by Darryl Zanuck. A.F.R.A. terms met; strike averted.

Feb. 3.—M. E. Comerford dies at 71. Hays and Lenox Lohr of NBC seek film and radio pact. Advertisers give A.F.R.A. closed shop.

Feb. 6.—American producers in 1937 spent $197,741,358 on production, U. S. Census Bureau reports. World film house total for 1938 was 92,816.

Feb. 7.—Studio heads do not oppose stars on radio. Kansas House gets bill for theatre divorcement.

Feb. 8.—Eleven nominations for RKO directorate due. Silverstone and Roach set 1939 program. 4-A votes to bar all non-entertainers.

Feb. 9.—Rodgers gets proposals of Allied on trade pact. First quarter net for Universal may reach $200,000. NBC seeking film tieups on television.

Feb. 10.—Paris houses cease all advertising in fight on taxes. Distributors set date for trade pact negotiations.

Feb. 14.—Supreme Court holds price control by copyright is illegal. North Dakota divorcement law is repealed.

Feb. 15.—Allied may quit pact dealings on Dakota ruling on divorcement law. Companies to ask rehearing in Dallas trust case.

Feb. 16.—Repeal of Dakota divorcement law spurs New York Government trust action against majors. 20th Century-Fox plans 52 features in new season.

Feb. 17.—Pathe plan voted; to form new company. U.A. planning expansion in foreign field.

Feb. 20.—Attorney General Murphy asks that trust suit against majors be speeded. Strike threat by directors' guild averted.

Feb. 21.—Governor signs North Dakota bill repealing divorcement law. Paris houses win fight for tax reduction. Levy on theatre circuits in Pennsylvania held invalid.

Feb. 23.—Rehearing of Dallas appeal to be sought. Universal gross up $2,000,000 in last year. Joe Brandt dies.

Feb. 24.—"You Can't Take It With You," Spencer Tracy and Bette Davis win three leading Academy awards. Myers data incorporated in trade pact.

Feb. 27.—Name four to complete RKO directorate. Warners plan 48 features next season; 36 will be "A." Baird plans television in U. S. market.

Feb. 28.—Federal Judge Bondy delays decision on RKO plan. National sales conventions seen caused by impending pact.

March

March 1.—Directors and producers are set to sign new agreement. Stockholder files action against Loew's, Inc.

March 2.—U. S. seen sharpening industry attack. Dissension in F.C.C. ranks flares again. Figure Paramount earnings for 1938 at $4,096,000.

March 3.—U.A. to fight Goldwyn move to abrogate contract. Republic 1938 gross was $7,373,972.

March 6.—Goldwyn will deliver for U.A. despite suit. Trade program seen depending on Government attitude.

March 7.—Warners get $6,000,000 loan for refunding. Col. Cole urges abolition of all clearance. RKO 1938 net $173,578.

March 8.—Producers to give Screen Writers Guild new contract. Pact to go into effect despite Allied stand.

March 9.—Film-radio "feud" is described by Lenox Lohr as only talk. Majors win plea for details in U.S. trust suit.

March 10.—U.S. meets quality requirement of British quota in first year. Trust action details to be ready in two months.

March 13.—M.P.T.O.A. asks improvement in film quality. Warners set 48 features next season. Republic plans 60 features, four serials.

March 14.—Duals force "B" pictures, Warner says. Lubitsch, U.A. deal expected this week.

March 15.—I.A.T.S.E. fight on Coast for union control brings threat of U. S. probe. Warners plan 86 shorts. North Dakota not to defend law on Ascap.

March 16.—Warners plan percentages from 35 to 20. Weekly screen attendance estimated at 85,000,000 by Hays office. Prutzman elected to Universal board.

March 17.—Korda forms own company in England. 250 to attend M-G-M sales meeting in Chicago. Mexican production found in critical state.

March 20.—Trade pact unchanged by parley with Abram Myers. Bank night ruled illegal in Delaware.

March 21.—French measure for industry control would halve U. S. imports. Court denies injunction against I.A. in Coast fight. M-G-M plans 52 features next season.

March 22.—Companies facing strike call in New York union fight. M-G-M lists 79 shorts on schedule. Neely moves to bring bill before Senate.

March 23.—George Browne in New York for local I.A. strike parleys. Metro sales will be along lines of pact.

March 24.—Way is open for U. S. return to Italy, says Arthur Kelly. New York Allied asks reform drive on clearance.

March 27.—Local 306 calls strike in New York. U.A. to have at least 22 features next season.

March 28.—Settlement talks on strike begins in New York. Practice pact draft due shortly.

March 29.—Shows in New York to continue despite strike. David Loew to release through U.A.

March 30.—Probe of New York strike is opened by Government. 20th-Fox opens sales meeting in Chicago.

March 31.—Trade pact is completed. Exhibitors get final draft. 20th-Fox sets $2,000,000 ad budget for next season.

April

April 3.—Strike status unchanged after a week. 20th Century-Fox will ask increased rentals on high budget pictures under new season sales policy.

April 4.—Hearings on Neely block-booking bill begin in Washington. Federal court confirms RKO reorganization plan.

April 5.—Voluntary selective film buying plan offered by distributors at Neely bill hearing is rejected by exhibitor representatives. Government to intercede in New York projectionists' strike.

April 6.—Allied States leaders denounce industry trade practice code at Neely bill hearing. Republic schedules 50 productions for new season.

April 7.—Government asserts New York projectionists' strike violates Federal anti-trust laws. Sidney R. Kent, William F. Rodgers attack Neely bill at Washington hearing.

April 10.—New York projectionists' strike settled on 12th day. Paramount schedules 56 new season productions.

April 11.—George J. Schaefer testifies Neely bill will increase industry and film costs.

April 12.—See Neely bill kept in committee as hearings near end. I.A.T.S.E. officers called in Coast racket probe.

April 13.—Senate committeemen in flare-up over handling of industry witnesses.

April 14.—Industry threatened with new I.A.T.S.E. strike as studios refuse union's demand for a basic contract. Ed Kuykendall testifies Neely bill will not end block booking.

April 17.—Studios resume I.A.T.S.E. negotiations to avert strike. Universal schedules 44 new season productions. S.M.P.E. convention opens in Hollywood.

April 18.—Hearings on Neely bill end. Ascap victor in two appeals on legislation to U. S. Supreme Court.

April 19.—Unions withdraw strike threat. Coast negotiations continue.

April 20.—Studio labor controversy nears settlement.

April 21.—Mutual interest of films and television told by David Sarnoff. Adolph Zukor, back from extended European trip, urges united industry to offset foreign market losses.

April 24.—New complications defer coast labor peace.

April 25.—Seven studio unions demand 30-hour week.

April 26.—Industry's new season production budget may total $209,550,000.

April 27.—Britain levies new tax on U. S. films.

April 28.—Government to file new anti-trust suits against industry.

May

May 1.—United Artists asks dismissal of Samuel Goldwyn's breach of contract action. New York World's Fair opens.

May 2.—Major companies' attorneys assert they will not consider acceptance of a consent decree to end Government's anti-trust suit.

May 3.—European war crisis results in 20 per cent decrease in foreign grosses. Loew's reports six-month net of $6,368,847.

May 4.—Ascap will ask separate music license for television use.

May 5.—Joseph M. Schenck urges Hollywood to curb production extravagances. Monogram schedules 54 films for new season production. Three unions seek jurisdiction over television field.

May 8.—New York Federal court indicates it will require Government to disclose identity of its anti-trust witnesses. Nine-year agreement between producers and directors reached. United Artists schedules 32 films for new season production.

May 9.—United Artists appoints Harry Gold and L. J. Schlaifer vice-presidents.

May 10.—Columbia schedules 42 films for new season production. Paramount votes first dividend on common stock since reorganization.

May 11.—Report Allied States attempting organization of national film buying combine. Universal's six-month net estimated at $400,000, first half-year profit in eight years.

May 12.—RKO first quarter net of $388,822 reported. Watterson Rothacker joins Quigley Publishing Co. as vice-president.

May 15.—A. F. of L. investigates "Red" influence in studio unions.

May 16.—Indications are industry trade practice code will be completed in August. Actors Equity Association asks television jurisdiction.

May 17.—Richard C. Patterson name[illegible] RKO board chairman; N. Peter Rathv[illegible] [illegible]airman of executive committee. [illegible]unt asks reelection of company's bo[illegible] [illegible]nual stockholders' meeting.

May 18.—Company defendants ask [illegible]ther particulars in Government's [illegible] York anti-trust suit.

May 19.—Federal Judge William Bondy orders Government to answer new bill of particulars and name its witnesses.

May 22.—Government indicates it will file fewer anti-trust suits against industry than were indicated earlier. RKO plans 50-54 pictures for new season.

May 23.—New York Allied unit opens convention with prospect of receiving first draft of new industry trade practice program.

May 24.—Test of I.A.T.S.E.'s control over its studio locals seen in Los Angeles court action brought by deposed heads of Technicians' Local 37.

May 25.—First draft of industry trade practice program completed; may go to Allied convention. Pandro Berman asks to be relieved of RKO studio command by Oct. 1.

May 26.—Initial draft of industry trade code's arbitration provisions made public; Rodgers asks Allied approval of proposal. Government files answers to companies' demand for bills of particulars. Senator Neely may force a vote on his anti-block booking bill. Theatre insurance rates increased.

May 29.—British film industry makes emergency plans for operating in event of war.

May 31.—Senate subcommittee scheduled to act on report on Neely Bill today. Merger of Hoyt's and Greater Union Australian circuits under way. Paramount studies key city use of its Du Mont television.

June

June 1—Senate committee approves Neely anti-block booking bill, assuring it of Senate vote later.

June 2.—Warners-Fox West Coast in split over product deal. Five I.A.T.S.E. officials cited for contempt in West Coast jurisdictional dispute. Anti-Ascap measures fail to pass in 12 of 14 state legislatures.

June 5.—Complete arrangements for broadcasts of film news to foreign countries via short wave radio.

June 6.—Film company heads meet with Department of Commerce in Washington to discuss industry problems.

June 7.—Industry-Goverment figures exchange views on trade's problems. Further meetings planned.

June 8.—Attorney General Murphy asserts Department of Commerce interest in film industry will not affect prosecution of anti-trust suits. Paramount to make 58 pictures for new season.

June 9.—Minority report of Senate committee calls Neely bill "bad for industry." Senate to vote on bill June 13.

June 12.—Industry refuses to make films available for television.

June 13.—Industry officials minimize significance of Department of Commerce conferences. National Allied States Association opens convention in Minneapolis as first draft of completed industry trade practice code is sent to exhibitors.

June 14.—Allied States to ask for changes in proposed industry code.

June 15.—William F. Rodgers urges Allied convention to approve trade code. Secretary Hopkins invites exhibitor leaders to meet with him. Jurisdictional dispute between Four A's and its affiliate, American Federation of Actors.

June 16.—Allied States convention rejects proposed trade code. W. F. Rodgers says exhibitor negotiations will be continued without Allied.

June 19.—Distributors continue trade code work.

June 20.—RKO to make 52 pictures for new season.

June 21.—Warners defy Nazi protest; to make two new "expose" films.

June 22.—Britain abandons new film taxes. Ed Kuykendall, M.P.T.O.A. president, meets with Secretary Hopkins for further discussion of trade problems.

June 23.—Government to file anti-trust suit against Schine Circuit.

June 26.—Defer action for summer on Government-B. & K. suit.

(*Continued on page* 6)

TART ’EM SINGING for 1940!

re-sold audience
millions of radio
eners every Monday
ht is eagerly awaiting
triumphant screen
pearance of their
den-voiced favorite,
y Martin, star of
io's 'Tune-up Time'!

Five Grand Song Hits!

- ★ 'No Other Love'
- ★ 'Punchinello'
- ★ 'Oh, What A Lovely Dream'
- ★ 'I've Got Music In My Heart'
- ★ 'It's A Blue World'

Music IN MY Heart

STARRING

Tony MARTIN ★ *Rita* HAYWORTH

with **EDITH FELLOWS** • **Alan Mowbray** • **Eric Blore** • **George Tobias** and
ANDRE KOSTELANETZ AND HIS MUSIC

Original story and screenplay by James Edward Grant • Directed by JOSEPH SANTLEY • Produced by Irving Starr

COLUMBIA PICTURES

Headlines Review the Motion Picture Year

(Continued from page 4)

June 27.—Sidney R. Kent sees hope for industry code despite Allied States' attitude. Membership divided in American Federation of Actors dispute.

June 28.—New York Allied to continue code negotiations despite parent organization's stand.

June 29.—First conviction of New York theatre man on lottery charge as a result of use of games. James Roosevelt's contract with Samuel Goldwyn extended.

June 3.—Company defendants file answers to Government's bill of complaint in New York anti-trust suit, denying monopolistic activities.

July

July 3.—Trade chiefs pleased with U. S. code parleys. Rodgers asks exhibitors to accept code; calls Allied's action "unfair."

July 5.—CBS and NBC June billings hit new high. New product brings boom to Broadway New season's deals show marked increase in middle and far West.

July 6.—RKO prepares self for new organization. U. S. acts to set anti-trust trial in October.

July 7.—Delay faces new changes in copyright laws. Studios in non-profit deal to let schools use films.

July 10.—N. Y. Allied takes independent code stand. 4-A's rejects mediation offer of William Green; A.F.A. trial starts. Trendle resigns as United Detroit Theatres head.

July 11.—Maxwell offers new booking idea to aid 1,000 British independents. C.I.O. begins vertical drive in all studios. Quebec theatres reopen.

July 12.—Trade plans golden jubilee celebration. National Association of Broadcasters accepts ccode governing program policies.

July 13.—U. S. lawyers urge change in copyright law. British exhibitors study Maxwell's booking plans. Radio, press, films, draw Hays' praise. Skirball resigns at Grand National.

July 14.—Theatres ask reduction in clearances. C.I.O. massing in studios. Key city grosses show upturn to $1,168,750.

July 17.—Court orders charter returned to Local 37. A.F.A. charter revoked by 4-A's; suit brought. Loew's 40-week net is $8,173,060.

July 18.—Senate passes Neely bill, 46 to 28. American Guild of Variety Artists replaces A.F.A.; enrolls 1,000. First industry short-wave broadcast to Latin-America and Europe successful.

July 19.—Court approves RKO plan. Experts doubt early trial for Government suit. Set effective date for code, Kuykendall urges. Harry Brandt, in Washington, talks to Secretary of Commerce; Cole to follow. Neely bill to die in House.

July 20.—Government suit discovered to be on trial calendar since March. Green backs A.F.A. as still part of A. F. of L. Century theatres resume games after three-week experiment.

July 21.—U. S. plans new suits in California. Court O.K.'s RKO election of directors. I.A.T.S.E. threatens soundmen's strike.

July 24.—U. S. seeks Nov. 1 as trust suit trial date. Studio A. F. of L. unions unite to battle C.I.O. Warners reportss $2,912,186 profit for 39 weeks. F.B.I. to probe Fox receivership. 4-A and A.F.A. dispute to go before A. F. of L. council.

July 25.—Cole debates Cohen on code. Goldwyn favors Illinois dual bill. Clyde W. Eckhardt feted.

July 26.—Code ready for adoption by Aug. 9. N. Y. circuits watch T.M.A.T. Labor Board hearings.

July 27.—Novelty of television gone in England, says Hyams. Schaefer, Patterson and other RKO officers elected. N. Y. Allied seeks code in State. Industry leaders at F.P.-Canadian parley.

July 28.—U. S. promises more trust suits in Fall. Governor Horner vetoes Illinois duals bill. Spain asked to modify imports rules. A.G.V.A. organizes vaudeville and film presentation house performers.

July 31.—"Letty Lynton" authors lose appeal; judgment against M-G-M cut to one-fifth. Capitol to show Korda's "Four Feathers."

August

Aug. 1.—I.A.T.S.E. grants charter to A.F.A., ousted 4-A union. RKO's stock plans presented to court. Producers debate I.A.T.S.E. demands.

Aug. 2.—I.A.T.S.E. delays strike, although deadline passes. S.A.G. ousts Sophie Tucker, A.F.A. president. Film exports show drop. Schine rally hears chiefs' trade ideas.

Aug. 3.—S.A.G. officials are foes of I.A.T.S.E., N.L.R.B. hears. S.A.G. protests I.A.T.S.E. aid to A.F.A. Paramount shows $2,130,000 profit for six months. 20th-Fox adds television to radio ban for screen actors.

Aug. 4.—Union battle grips entire amusement world; 4-A polls 30,000 actors on strike. Broadcasters plan to battle Ascap with new music source. 20th-Fox reports $2,325,525 profit for six months. U.A. celebrates 20th anniversary.

Aug. 7.—U. S. files Schine trust suit. Atlas presents RKO financing plan.

Aug. 8.—S.A.G. officials arrive ready to go before A. F. of L. council in jurisdictional dispute. N.L.R.B. calls hearing in C.I.O.-A.F. of L. Coast battle. "Fear nothing," is Schine reply to Government suit.

Aug. 9.—Exhibitors in tribute to Nate J. Blumberg. I.A.T.S.E. and producers in tentative pact. Strike hinted to crush C.I.O. on Coast.

Aug. 10.—A.F. of L. hearings on 4-A and I.A.T.S.E. to be secret, Green says. Loew's gets $15,000,000 refund loan.

Aug. 11.—A.F. of L. begs peace but unions stick to their claims; jitters grip Hollywood. U. S. to file trust suit against Crescent circuit in Nashville.

Aug. 14.—Court refers Atlas underwriting plan for RKO to special master. Columbia answers Government suit. Studios sign five-year pact with I.A.T.S.E.

Aug. 15.—France relaxes import barriers. Labor racket probe opens in Hollywood.

Aug. 16.—A.F. of L. verdict in I.A.T.S.E.-4-A dispute. Both sides claim victory. U. S. studies code.

Aug. 17.—4-A defies A. F. of L.; rejects decision. Secrecy veils code as U. S. reported asking changes.

Aug. 18.—Federal action kills code. A. F. of L. studies revised action in union fight.

Aug. 21.—Distributors in Arnold parley to rescue code. Allied expels New York unit. 4-A plans to bolt A. F. of L.

Aug. 22.—Lawyers study U. S. code rebuff. New product boosts Broadway grosses.

Aug. 23.—Commerce Department study continues. Russian-Nazi pact news crowds networks.

Aug. 24.—Warners sets up own trade code. Peace sought in 4-A dispute; little hope seen.

Aug. 25.—Majors vary on new sales plans. English film trade ready for hostilities. James Roosevelt undertakes studio survey.

Aug. 28.—Warners to help solve clearance. Key city grosses up to $1,276,750. A. F. of L. moves for actor peace. Studio publicists get five-year pact.

Aug. 29.—British issue war orders for theatres; film people speed return from abroad. U.A. seeks dismissal of Government trust suit.

Aug. 30.—Groom Roosevelt as A.M.P.P. chief. Profit of $42,000 by Monogram in six months reported. N.L.R.B. sets Sept. 21 for elections on Coast between I.A.T.S.E. and C.I.O.

Aug. 31.—Fox West Coast accused of violation of consent decrees by U. S. Strike looms as zero hour set by 4-A nears.

September

Sept. 1.—Actors Equity calls strike in legitimate stage field for Labor Day. Newsreels set for war duty.

Sept. 5.—War shuts down theatre business in Britain and France. Strike avoided as actor unions and I.A.T.S.E. heal breach. U. S. files 68 interrogatories in trust suit.

Sept. 6.—U.A. resigns from M.P.P.D.A. in Balaban & Katz dispute. War to affect 30 per cent of world film grosse[illegible] War news sends film stocks and b[illegible]own. New Jersey Allied starts co[illegible]

Sept. 7.—Trade loses war jitters, [illegible] timistic. Industry officials rush[illegible]

Sept. 8.—British film loss is $5,000[illegible]kly. Majors win 30-day delay in [illegible]nment suit. Year's ticket tax [illegible]aled $19,470,801.

Sept. 11.—65-70 per cent of British theatres reopen. RKO and Universal win Chicago contempt case backing. I.A.T.S.E. expels "rebels."

Sept. 12.—Studios to keep picture schedules. Universal net is $989,995 for nine months. British Films Act faces revision.

Sept. 13.—M-G-M denies war slashes in production. Newsreels suffer war gag.

Sept. 14.—War bars face Anglo-U. S. trade. Coast grand jury starts inquiry. Broadcasters' code to go into effect Oct. 1.

Sept. 15.—All British theatres open today. Independents face lower Ascap rates.

Sept. 18.—Studios adopting sharp economies. Court delays setting Government suit trial date. New U. S. regulations on shipping adopted. Broadcasters vote to start own music source.

Sept. 19.—"Big Five" back C.I.O. in studio ballot. Films show first war scenes. Government suit against B. & K. in Chicago ends when circuit and majors offer no defense.

Sept. 20.—Hays hits trade meddling by U. S. M-G-M fixes sales policy on code plan. Key city grosses reach $1,490,144.

Sept. 21.—Cohns slash own salaries by one-third. War forces Odeon to drop duals. Studio workers cast ballot in N.L.R.B. elections.

Sept. 22.—U. S. hints new drive against industry. I.A.T.S.E. defeats C.I.O. in N.L.R.B. elections.

Sept. 25.—Higher rentals needed, Schenck says. RKO officials get 35 per cent salary slash. I.A.T.S.E. serves ultimatum on producers.

Sept. 26.—Trade mourns Carl Laemmle. Producers seek I.A. compromise. France to resume production.

Sept. 27.—All U. S. joins in industry's Golden Jubilee. Sale or lease of Biograph studio looms.

Sept. 28.—British Films Act to stay, is belief. Dembow resigns Fanchon & Marco post.

Sept. 29.—Trade asks guard in neutrality law. Define film policy, British producers ask Government.

October

Oct. 2.—Fate of U. S. production in England hinges on quota law. Factionalism splits N. Y. Allied. Ned E. Depinet signed to new long-term contract by RKO.

Oct. 3.—Brtish interests fight to save quota. War situation not to delay RKO reorganization.

Oct. 4.—Britain may revoke exhibitors' quota. Piracy of foreign films spreads in Latin America. U.A. senior executives take voluntary salary cuts.

Oct. 5.—Settlement of General Talking Pictures suit against A. T. & T. reported near. Monogram reports eight-month profit of $78,773.

Oct. 6.—U. S. Attorney General Murphy to study Coast situation.

Oct. 9.—Jules Levy resigns as general sales manager of RKO. Hays office cuts salaries and reduces staff. Atlas Corp. to make $1,500,000 RKO stock underwriting offer.

Oct. 10.—A. W. Smith, Jr., and Robert E. Mochrie named RKO divisional sales managers. American companies concerned over plan to limit British remittances.

Oct. 11.—Britain to limit money exports with no film import restrictions. Cash-carry neutrality legislation no great hindrance to film industry.

Oct. 12.—Government anti-trust defendants have until Nov. 1 to file exceptions to interrogatories. Universal breaks with Saenger circuit.

Oct. 13.—Britain to freeze U. S. remittances. Orange County Theatres moves for dismissal of its anti-trust suit.

Oct. 16.—Studio crafts demand 10 per cent wage increase. N. L. Nathanson favors local conciliation for Canada.

Oct. 17.—Mayor LaGuardia urges production in New York. Hans Vogt wins long controversy over photo-electric cell patent.

Oct. 18.—Allied States cites "grave dangers" in European situation. Slightly

(Continued on page 8)

Thanks . . .

to the

NEW YORK FILM CRITICS

for selecting

MARCEL PAGNOL'S Magnificent Epic of the Soil

HARVEST

"AN ENDURING WORK OF ART"—*Times*

as the

BEST *Foreign* FILM OF THE YEAR

ANDRE R. HEYMANN, Pres.

FRENCH CINEMA CENTER, INC.

35 WEST 45th ST. NEW YORK CITY

My Deepest Gratitude . . .

TO THE NEW YORK FILM CRITICS FOR HAVING ACCLAIMED *WUTHERING HEIGHTS* AS THE BEST PICTURE OF 1939 . . .

I ALSO WISH TO EXPRESS MY APPRECIATION TO THOSE ASSOCIATED WITH ME IN THE PRODUCTION OF *WUTHERING HEIGHTS* . . .

BEN HECHT AND CHARLES MacARTHUR, SCREEN-PLAYWRIGHTS,

WILLIAM WYLER, THE DIRECTOR,

MERLE OBERON, LAURENCE OLIVIER, GERALDINE FITZGERALD, FLORA ROBSON AND THE OTHER MEMBERS OF THE CAST,

GREGG TOLAND, CINEMATOGRAPHER,

ALFRED NEWMAN, MUSIC,

JAMES BASEVI, ART DIRECTION,

AND ALL THE OTHER MEMBERS OF MY ABLE ORGANIZATION WHOSE SINCERE EFFORTS MADE *WUTHERING HEIGHTS* POSSIBLE . . .

Samuel Goldwyn

'40 Increase In Radio Set Sales Is Seen

Radio receiver sales should show an improved trend in 1940 because of the European situation and the usual increase in consumer interest during presidential election years, Dr. W. G. R. Baker, of the General Electric radio and television department, asserted.

Over-production of sets within the next few months is likely if history repeats itself, Dr. Baker declared. The early months of 1939 found set sales markedly affected by publicity given to the establishment of regular television programs in New York but this was more than offset by the outbreak of the European war, he continued. The result was a sudden shortage of sets and production schedules were increased. Dr. Baker pointed out that the public is gradually being educated to the limitations of existing television service and its possibilities on a national scale.

The poor sale of television receivers was attributed to limited program hours, the list prices of sets, and the relatively short trade discounts as compared with radio. Although he praised the technical advances of television, Dr. Baker pointed out that from the business viewpoint, television has not produced the favorable results anticipated. He declared that the solution of the business problem will probably await further technical advances which will permit lower list prices.

Dr. Baker also commented on the fact that G. E. is experimenting with frequency modulation and that FM receivers could be expected to replace present receiving equipment when FM transmission becomes available on a national scale. The new type of FM sets will be capable of receiving both FM and amplitude modulation broadcasting, Dr. Baker said.

Crescent Hearing Delayed to Feb. 1

Hearing of motions in the Government's anti-trust suit against Crescent Amusement Co. and major distributors, scheduled for tomorrow in Federal court at Nashville, has been postponed to Feb. 1.

Principal motions scheduled for hearing included those of the defendants for bills of particulars from the Government.

Walker and Mayor Talk Eastern Films

(*Continued from page* 1)

resent a European financial interest, conferred on the same day with Commissioner Clendenin Ryan, head of the Mayor's chamber of commerce recently established to attract business to New York.

Bergere admitted taht he and Ryan discussed Eastern production but refused to comment further.

Bergere recently appeared at Grand National Pictures reorganization hearings with an offer to purchase a substantial interest in the company.

Year's News in Review

(*Continued from page* 6)

more than half of country's exhibitor corporations paid 1937 income taxes.

Oct. 19.—Nazis take control of Czech film industry. Dr. L. A. Jones and Dr. Herbert T. Kalmus win S.M.P.E. awards.

Oct. 20.—Distributors ask film reciprocity in Latin America. RKO reduces first six months' net loss to $68,070.

Oct. 23.—Settlement reached in A. T. & T., Western Electric, Erpi litigation with General Talking Pictures. Theatre building in first nine months valued at $17,992,000.

Oct. 24.—Frank C. Walker elected general counsel of M.P.T.O.A. Texas attorney general investigates film business.

Oct. 25.—War cripples French film industry. Grand National to get $450,000 R.F.C. loan.

Oct. 26.—S.A.G. forbids free radio performances by actors. Conflicting Thanksgiving dates no difficulty to trade.

Oct. 27.—U. S. Department of Justice to investigate film matters further on Coast.

Oct. 30.—Federal Court dismisses Grand National bankruptcy action. Films made exempt from cash-carry neutrality law. N. Y. Allied drops Allied States affiliations.

Oct. 31.—Producers ask I.A.T.S.E. to relinquish 10 per cent wage increases. New York exhibitors fight pari-mutuel betting amendment.

November

Nov. 1.—Hollywood agents ratify pact with S.A.G. Harry Cohn denies rumors about sale of Columbia Pictures.

Nov. 2.—Hollywood painters may strike, demand 15 per cent increase. New York Allied seeks trade practice code for state.

Nov. 3.—Attorney General Murphy says proposed code cannot be approved without stipulation it will not be used as defense.

Nov. 6.—Neutrality law keeps markets open for American companies. Prof. M. J. Handler to arbitrate Local 306-New York circuits dispute.

Nov. 7.—Dramatists Guild approves amendment on film rights to plays.

Nov. 8.—Studio unions vote against giving up 10 per cent increase. Product shortage worries English exhibitors.

Nov. 9.—Television ready to go commercial, says Alfred H. Morton. Darryl Zanuck says films and radio are mutually advantageous.

Nov. 10.—Paramount's earnings for nine months estimated as $2,840,000. Strike called, then rescinded at Selznick studio.

Nov. 13.—U. S. companies plan to resume production in England. Film Exchange Employes Union to ask increases.

Nov. 14.—Darryl Zanuck asks extended playing time for worthwhile films. New York executives see small possibility of Eastern production.

Nov. 15.—Arbitration board grants 10 per cent increase to operators employed by I.T.O.A. members. F.C.C. committee recommends restricted commercial television.

Nov. 16.—Twenty-one studio unions threaten strike if 10 per cent increase is refused. British quotas remain until March.

Nov. 17.—Showdown on whole wage issue in Hollywood is seen. Film exports in nine months drop to 27,000,000 feet.

Nov. 20.—Studio strike looms due to wage deadlock. Joseph R. Vogel named to Loew board.

Nov. 21.—Hollywood strike action postponed. Bankers to offer cash to back Eastern production.

Nov. 22.—Admission scales throughout the country remain on even keel. I.A.T.S.E. to attempt to take over unaffiliated crafts.

Nov. 24.—Britain to allow 50 per cent cash withdrawal. M-G-M to guarantee profits on "Gone With the Wind."

Nov. 25.—M-G-M to ask 70 per cent rental on "Gone With the Wind." Studios grant wage increases, avert strike.

Nov. 28.—Warner Bros. profit $1,740,907 for fiscal year. Wage fight still brews on Coast.

Nov. 29.—American companies' business abroad slumps average of 30 per cent. New York state censor rejects 24 films in 12 months.

Nov. 30.—Theatres in Canada grossed $33,625,052 in 1938. Paramount asks two-week minimum guarantee on "Gulliver's Travels."

December

Dec. 1.—British Board of Trade considers plan to finance producers. A.G.V.A. demands recognition from theatres.

Dec. 4.—"Gone With the Wind" to be shown at advanced prices at least until 1941. Film Exchange Employes Union asks 25 per cent increase.

Dec. 5.—No cancellation on M-G-M product in Canada. "Letty Lynton" case goes to U. S. Supreme Court.

Dec. 6.—Three International unions get 10 per cent wage boosts. Paramount increases ad budget by $500,000.

Dec. 7.—Studio wage increases subject to arbitration in February. Harry H. Thomas joins Monogram.

Dec. 8.—Nicholas M. Schenck opposes moving production East. Wichita, Kan., sets up trade practice code.

Dec. 11.—RKO to sell "Pinnochio" at 50 per cent rental and as single bill. S. R. Kent says production costs must be readjusted.

Dec. 12.—Paramount to drop "B" films next season. Speedy action on Neely Bill seen in next Congress.

Dec. 13.—Atlas Corp. submits $1,500,000 RKO underwriting agreement to Federal Court. Douglas Fairbanks, Sr., dies.

Dec. 14.—Studio wage increase means $200,000 in back pay. Coast authorities refuse to arrest William Bioff.

Dec. 15.—Agreement reached to start Government anti-trust suit not earlier than May 1. James R. Roosevelt resigns from Samuel Goldwyn Productions to form own company.

Dec. 18.—S.E.C. approves Atlas Corp. underwriting plan for RKO. Warners abandon "B" pictures.

Dec. 19.—"Gone With the Wind" gets double premiere on Broadway. Samuel Goldwyn quits U.A.; David O. Selznick stays "indefinitely."

Dec. 20.—U.A. will contest Samuel Goldwyn's effort to quit company, Maurice Silverstone says. Loew's profit $9,841,530 for fiscal year.

Dec. 21.—Thurman Arnold denies reported compromise on Government anti-trust suit. Judge Bondy approves RKO stock plan.

Dec. 22.—Mickey Rooney named the outstanding money-making star of 1939 in Fame-Motion Picture Herald poll. Companies give Christmas bonuses.

Dec. 26.—Mayor LaGuardia urged to ask for R.F.C. funds to finance Eastern production. RKO offers new stock to creditors.

Dec. 27.—Congressman Dies to reveal Communist aid in Hollywood. Defendants attack U. S. tactics in anti-trust suit. Broadway houses have big Christmas weekend.

Dec. 28.—N. Y. Film Critics vote "Wuthering Heights" best picture of the year. Charlie McCarthy again voted "tops" in radio in MOTION PICTURE DAILY poll.

Dec. 29.—Federal statutory court voids anti-Ascap law in Nebraska. George Formby heads first 10 British players in *Motion Picture Herald* poll. Harry Edington named RKO executive producer.

Goldwyn Silent On Next Legal Move

(*Continued from page* 1)

it is unlikely that Steuer will begin a new move without first consulting Goldwyn, particularly in view of the fact that it may take at least six months to get an initial decision in a new legal action and that it is highly improbable that Goldwyn will withhold his new picture, "The Westerner," from distribution for that length of time.

New York film attorneys see no likelihood of a company other than United Artists making a deal for distribution of the picture while the litigation is pending. As one attorney put it, "The company that makes a deal with Goldwyn now may wind up with a law suit on its hands."

Only 5% of Air Ads Require FTC Inquiry

WASHINGTON, Jan. 1.—Q[illegible]tionable radio advertising has b[illegible]t to a point where less than five [illegible] cent of all continuities require inv[illegible] it was declared by the Feder[illegible]k-Commission in its annual r[illegible] to Congress.

Cooperation of individual broadcasters, networks and transcription producers, as well as the fear of prosecution, have resulted in a general cleaning up of air advertising, the report indicated.

Summing up its activities during the fiscal year ended June 30, last, the commission reported that only 29,143 out of 643,796 commercial continuities studied necessitated investigation to determine whether they were false or misleading, in violation of actions, stipulations or orders of the commission or a basis for prospective cases for further action.

A total of 626,293 continuities were submitted during the year, with a total of 1,384,448 pages of typewritten script, of which 860,908 pages were from individual stations and 523,540 pages from networks.

As a general rule, each station in the country is called upon four times a year to submit copies of its advertising continuities, but national and regional networks forward copies of their commercials weekly and electrical transcription manufacturers submit monthly returns.

Mutual Net Revises Its Financial Set-up

(*Continued from page* 1)

California and the Pacific northwest; WAAB, Boston, and 17 other Colonial stations in New England; CKLW, Windsor-Detroit; the United Broadcasting Corp. with WHK and WCLE, Cleveland, and WHKC, Columbus; and WKRC, Cincinnati. The purchase price and the exact proportions of the distribution were not divulged. At present WGN and WOR own the stock.

The board of directors will be enlarged to give the new stockholders representation. A final meeting for the election of these directors and ratification of the contracts will be held in Chicago this month. The 57 stations will devote themselves to exclusive participation in the network except for existing commitments.

Supplementing the board will be an operating board composed of one representative from the seven groups and two or three additional members selected on a geographical basis from the other Mutual stations. The operating board will meet twice a year with Fred Weber, general manager, for discussion of general operations and policy.

Variety Artists Benefit

Olsen & Johnson, stars of "Hellzapoppin'," will be in charge of entertainment at the annual benefit performance of the National Variety Artists to be held at the Alvin on Sunday, Feb. 4. George M. Cohan, as usual, is chairman. Proceeds will be used for the welfare fund and to maintain the N.V.A. clubhouse.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 47. NO. 2 NEW YORK, U. S. A., WEDNESDAY, JANUARY 3, 1940 TEN CENTS

Plan for RKO Is Confirmed By High Court

Cassel, Stirn Pleas for Review Are Denied

WASHINGTON, Jan. 2.—The U. S. Supreme Court today refused to review two petitions which attacked the order approving the plan of reorganization of RKO.

The court orders rejecting the applications of H. Cassel & Co., holder of $217,000 in RKO gold debentures, and Ernest W. Stirn, Class A stockholder, serve as a confirmation of Federal Judge William Bondy's order, subsequently affirmed by the U. S. Circuit Court, which upheld the plan.

The Supreme Court order, as is usual in applications to review, gave no reasons for its denial. The full court with the exception of Associate Justice Douglas participated in the decision.

The long-awaited ruling will act as a full-speed-ahead signal to bring RKO out of reorganization proceedings, a member of Simpson, Thacher & Bartlett, attorneys for the Atlas Corp., proponent of the plan, stated.

Necessary preliminary steps before this goal can be reached, he said,

(*Continued on page* 11)

Trade Watches Bills In State Legislature

ALBANY, Jan. 2.—New York's present legislative session, which gets underway tomorrow with Governor Lehman's annual message, will consider many measures of interest to the film industry, but none will have as far-reaching consequences as agitation for a two per cent sales tax.

Despite the necessity for adoption of an enabling act to govern pari-mutuel betting as approved last November, agitation for repeal of the cigarette tax, renewal of the drive to put across I.A.T.S.E.'s "full crews" bill and a score of other important legislative bits favored or opposed by exhibitors and distributors alike, the urgent need of upstate municipalities for relief funds will be centered on sales tax proposals.

On the brink of their lawful borrowing power, many upstate cities, towns and villages believe the sales tax is their only salvation, while New York City and in general labor unions

(*Continued on page* 11)

U. A. Will Contest Goldwyn-Warner 'Westerner' Deal

United Artists will contest in the courts Samuel Goldwyn's right to enter into a distribution contract with Warners for his picture, "The Westerner," Charles Schwartz, United Artists counsel, said yesterday.

Schwartz said that the form which the legal opposition would take could not be disclosed at this time due to the fact that United Artists has no official information that a distribution deal has been made by Goldwyn with another company. Its present information is limited to press reports.

"We will look into the matter," Schwartz said, "and if the press statements are substantiated, we will defend our exclusive distribution contract with Goldwyn with every legal means at our command. Our position has not changed. We intend to hold him to his contract with us."

The Warner studio succinctly announced late Monday that: "Negotiations have been completed with Samuel Goldwyn for the distribution of 'The Westerner,' starring Gary Cooper and directed by William Wyler."

Studio officials refused to comment further on the closing of the deal, as did Goldwyn.

Max D. Steuer, Goldwyn's New York attorney, likewise maintained his silence. United Artists officials referred inquiries to the company's attorneys.

Unofficial conjecture held that United Artists would seek an injunction to restrain Goldwyn from de-

(*Continued on page* 11)

Berman Praised By Louis Mayer

Hollywood, Jan. 2.—Louis B. Mayer today lauded Pandro S. Berman, newest member of the M-G-M executive personnel, as "one of the most outstanding young producers in the industry today."

Mayer said Berman would report for active duty as soon as he finishes his current vacation.

Berman, who left RKO Dec. 15, was represented in the M-G-M deal by the William Morris Agency.

Metro Orders Night Reserved Seat Sale For All 'Wind' Dates

Reserved seat admissions will prevail for all "Gone With the Wind" evening shows during engagements which will open from now on. This has been decided by the M-G-M distribution department as a result of tests with reserved and unreserved admission policies in seven representative cities.

During the first week of the run at the Capitol it was found that the large crowds at the theatre led many persons to believe that no seats were available at night and that this discouraged a larger attendance. M-G-M executives believe that the reserved-seat policy will obviate this sort of

(*Continued on page* 2)

Holiday Grosses Smash 10-Year Broadway Mark

Broadway staged the biggest New Year's weekend in 10 years over the holiday, in both first and subsequent run houses. Several house records toppled. Night clubs, hotels, and the legitimate stage did a sellout business well ahead of recent years.

The weather during the weekend was below freezing but it failed to affect the holiday spirit. Out-of-town visitors helped swell the totals. Crowds thronged Times Square in the customary New Year's manner.

All film houses, with the exception of the Astor and the Capitol, where "Gone With the Wind" is being shown, played extra shows. The Rivoli and the Rialto were open all night. At the Paramount and the Roxy, higher prices were charged for the midnight shows.

The Sunday business broke all-time house records at both the Music Hall and the Roxy. In addition, the weekend record at the Roxy was also broken. At the Music Hall, "The Hunchback of Notre Dame," with a stage show, which did not open until Saturday, drew an estimated $61,000 for the weekend, with an estimated $25,000 on Sunday. The previous house record was $23,000 set in 1936 with "Follow the Fleet" on Washington's Birthday.

The Roxy played to 89,207 persons over the weekend with "Swanee River" and a stage show as the at-

(*Continued on page* 6)

RKO, 'U' Sign Deal With Ad Accessories

Becomes Effective Feb. 1; Trailers Included

Deals for distribution by Advertising Accessories, Inc., of all RKO and Universal accessories have been closed, Charles Casanave, vice-president and general manager of the new National Screen Service subsidiary, stated yesterday.

The deals follow closely upon the one closed with Paramount last week, and additional deals are being discussed with other major distributors, Casanave said. Like the Paramount deal, the RKO and Universal arrangements will become effective Feb. 1 and also include distribution of the trailers of all three companies.

The inauguration of this new method of marketing all display advertising on major company product marks the beginning of a new phase in theatre advertising, Casanave asserted. It is the first time that large distributors have authorized the sale and distribution of their ad accessories by an organization other than their own.

Advertising Accessories will establish offices in 31 exchange centers throughout the country. It has its own offices now in 23 cities and will rent space in Paramount exchanges in Albany, Buffalo, New Haven, Pittsburgh, Cincinnati, Indianapolis, Milwaukee, Salt Lake City and Portland, Ore. The last named office may be consolidated later with a Seattle branch, it was said.

The accessories handled by the new

(*Continued on page* 11)

Fox Pushes Film Work in England

HOLLYWOOD, Jan. 2.—In spite of the war, 20th Century-Fox will continue production of pictures in England, according to Robert Kane, in charge of company's production activities in England, who arrived today in Hollywood from New York.

"War conditions naturally have restricted our activities in England to some extent, but the British government has cooperated splendidly to keep the industry going," said Kane. "As matter of fact we have missed only three days of shooting since the outbreak of the war and that wasn't due to hostilities but to a suspension made necessary when we moved our

(*Continued on page* 6)

Metro Orders Night Reserved Seat Sale For All 'Wind' Dates

(*Continued from page 1*)

situation as well as eliminate the long waiting for seats.

Regular runs of the picture have been set in 36 cities, following the preliminary engagements in seven cities now under way. Of these, 31 comprise Loew circuit theatres.

Warners have set the picture day-and-date in two theatres in Philadelphia. The premiere will be held the night of Jan. 18 at the Boyd, with two reserved seat shows thereafter. The Earl will open the film Jan. 19 on a continuous run policy of three shows a day, starting at 10 A. M. Prices will be advanced over regular scales.

The other engagements will be three-a-day continuous, at a night top of $1.10 with $1.65 for loges.

Four openings are scheduled for Jan. 25 as follows: Capitol, Wilkes Barre, Pa.; Comerford, Scranton, Pa.; Strand, Binghamton, N. Y.; Great Lakes, Buffalo. The Cataract, Niagara Falls, N. Y., will open the picture Jan. 26.

Loew circuit engagements are dated as follows:

Jan. 26—Century, Baltimore; Palace, Washington; Loew's, Wilmington; Warner, Pittsburgh; State, Providence; State, Syracuse; Rochester, Rochester; Loew's, Indianapolis; Midland, Kansas City; Loew's, St. Louis; Stillman, Cleveland; State, Louisville; State, New Orleans; Vendome, Nashville; State, Memphis; Yonge St., Toronto.

Feb. 2—State, Norfolk; Loew's, Richmond; Loew's, Akron; Valentine, Toledo; Broad, Columbus; Loew's in Canton and Dayton; Majestic, Bridgeport; College, New Haven; Palace, Hartford; Elm, Worcester; Poli, Springfield, Mass.; Victory, Evansville.

Feb. 3—Poli, Waterbury; Poli, Meriden.

"Gone With the Wind" will play the Fifth Ave. Theatre in Seattle at a night top of $1.15, which will include a five-cent state admission tax. In Tacoma the picture will probably play the Music Box, according to John Hamrick, operator of the theatre, who is in town.

Capacity business for second week runs of "Gone With the Wind" continued in all out-of-town houses. In Boston, where the second week ends today at both the State and Orpheum, a total of $92,000 is indicated, with $45,000 at the State, where two shows with reserved seats are played, and $47,000 for the Orpheum.

The Grand, in Atlanta, reported $25,000 for the second week, on a two-a-day basis. In Cincinnati, the Capitol reported $30,000, more than three times the previous house record.

At the Loew's, in Reading, the first week figure of $18,000 was equaled during the second stanza. In Harrisburg, the Loew theatre reported $15,500 for the second week.

Based on the first five days, indications are that the film will do $65,000 in Los Angeles with $35,000 at the United Artists house, and $30,000 at the Carthay Circle.

Purely Personal

S. CHARLES EINFELD, Warners advertising and publicity director, is due from the studio early next week.

•

WILLIAM F. RODGERS, TOM CONNORS, WILLIAM ORR, JOHN HICKS, RUSSELL HOLMAN, TOBY GRUEN and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

ANITA LOUISE is due today from the Coast for a broadcast Friday. After a week here, she will go to Hartford, Conn., for a personal appearance.

•

L. R. BRESLIN, JR., ROSWELL L. GILPATRIC and THOMAS A. HALLERAN have joined the law firm Cravath, DeGersdorff, Swaine and Wood.

•

ALBERT MARGOLIES, publicity manager of United Artists, will fly to the Coast Friday for conferences on campaigns for forthcoming pictures.

•

HENRY KING, 20th Century-Fox director, is in Miami Beach for a few days.

•

MILTON HYAMS, M-G-M New Haven salesman, is visiting his daughter in St. Louis.

•

TIMOTHY O'TOOLE, Columbia New Haven manager, has left for a short vacation in the South.

•

JOAN CRAWFORD is in town for a week.

M. J. SIEGEL, president of Republic Productions, has arrived from the studio to confer with H. J. YATES. He will remain about two weeks.

•

ALBERT LASKER, FRED SCHWARTZ, ARTHUR KRECKE, SIR CEDRIC HARDWICKE, LOUIS PHILLIPS, TED O'SHEA, JOE LEE, HARRY BUXBAUM, BEN BOYAR, ARTHUR LOEW, MORT SPRING, JOHN GOLDEN, CONSTANCE COLLIER, LEE SHUBERT, JOHN ROYAL, MORRIS GEST and JIMMIE SAVO lunching at Sardi's yesterday.

•

H. B. MACKENZIE, manager of Western Electric Co. of Argentina, has returned to the United States for an extended vacation. Following a visit to his home in Evanston, Ill., he will confer with officials of Erpi in New York prior to sailing for Buenos Aires Feb. 15.

•

HERMAN WOBBER, general sales manager of 20th Century-Fox, will leave San Francisco tomorrow. He is due in New York this weekend.

•

MARY HAWKINS, Republic booker in Albany, has taken a two-month leave of absence to drive her ill mother to the Coast.

•

WILLIAM BACHER, who produced the "Swanee River" broadcast over CBS Friday night, leaves tomorrow for the Coast.

•

DARRYL F. ZANUCK is scheduled to arrive here from the Coast Jan. 18.

MacIntyre Touring For Depinet Drive

Herb MacIntyre, captain of the RKO Ned Depinet Drive, left yesterday for a rapid tour of the country's 38 exchanges in this country and Canada. The drive runs from Jan. 27 to May 10.

MacIntyre will be accompanied by Walter Branson, Midwestern district manager, and Harry Gittleson, editor of the company's house organ, who will get out the paper from the field during the drive. Branson will visit branches in his territory, with other district heads visiting their exchanges with MacIntyre. The drive captain will complete his tour on Feb. 5 with a meeting at the New York exchange.

Election on Jan. 14 By Variety Artists

The American Guild of Variety Artists will elect officers Jan. 14 at the Palm Garden. There will be a membership rally Jan. 7 at the same place.

Jean Muir is temporary executive secretary, replacing Dorothy Bryant who resigned over the weekend because of illness. Harry R. Calkins, recently named assistant to Mrs. Bryant, also has resigned but the reason was not revealed.

Mrs. Hossfeld Dies

TOPEKA, Jan. 2.—Mrs. E. Hossfeld, mother of Milton Hossfeld of New York, film buyer for National Theatres, was buried here yesterday. She died Sunday night. Hossfeld flew here from Los Angeles, where he had been vacationing.

Legion Approves 6 Of Seven New Films

The National Legion of Decency for the current week has approved five of six new films reviewed, two for general patronage and three for adults, and classified one as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Parole Fixer," "Swanee River." Class A-2, Unobjectionable for Adults—"Hunchback of Notre Dame," "Invisible Stripes," "Untamed." Class B, Objectionable in Part—"Gone With the Wind."

Warner Executives On Coast for Parley

Gradwell L. Sears, Warner general sales manager; Joseph Bernhard, general manager of Warner Theatres and Sam Schneider, home office executive, have left for Hollywood for conferences with H. M. Warner, Jack L. Warner, Hal B. Wallis and Charles Einfeld.

Mordaunt's Mother Dies

Funeral services will be held at St. Catherine's Church, Pelham, today, for Mrs. Ellen T. Machell, mother of Edward J. Mordaunt, president of C. J. O'Brien, Inc., printers of MOTION PICTURE DAILY and other Quigley publications. Interment will be at Calvary Cemetery. Mrs. Machell died Sunday at her home in Mt. Vernon.

Samuel Sulzbacher Dies

MONTGOMERY, ALA., Jan. 2.—Samuel Sulzbacher, 66, local theatre operator and business leader, died here.

Newsreel Parade

New newsreel issues include compilations of the outstanding sports events of the past year. Reels and their contents follow:

MOVIETONE NEWS, No. 33—Resume of outstanding sports events. German freighter in Panama Zone. Funeral [illegible] German naval captain. Dancing on ic[illegible] San Francisco. Cavalry maneuvers in Texas. Lew Lehr. Fashions.

NEWS OF THE DAY, No. 231—New Year's celebrants on Broadway. Al Smith celebrates birthday. First Social Security checks mailed. Opera benefit for Finland. Sports parade of 1939.

PARAMOUNT NEWS, No. 36—Social Security payments mailed. French cadets graduate. East Side markets open in New York. New eyeglasses for British soldiers. Airplane truck tested. Fashions. Skiing. New Year's Eve on Broadway.

RKO PATHE NEWS, No. 48—War cargo ready for shipment to Europe. Opera stars stage Finn relief show. Churches back Roosevelt's peace move. Graduations at French academy. Speed production of rifles for army. Best sport pictures of 1939.

UNIVERSAL NEWSREEL, No. 837—Crew of French destroyer arrives in port. Mrs. Chamberlain reviews Women's Auxiliary Service. Trucks for shipment to Europe at Staten Island. Parade for majorette in Texas. W. C. Fields plays golf. Review of sports highlights of 1939.

Protest Wilmington Standing Room Ban

WILMINGTON, Jan. 2.—The City Council has under advisement a protest by local theatre managers against the inclusion in the pending fire prevention ordinance of a provision which would forbid any standing between the last row of seats and the foyer wall.

H. S. Schutt, president of the Department of Public Safety, wrote the council asking that the prohibition against standing be retained.

Nu-Color Firm Formed

ALBANY, Jan. 2.—The Nu-Color Motion Picture Corp., has been incorporated here, with $99,960 in capital stock, by Sidney S. Cummins, John Finicelli and Rose Chatkin, New York.

Blumenthal Joins Hentz

A. Pam Blumenthal, formerly associated with the business management of Warners, has joined the firm of Hentz & Co., of the New York Stock Exchange. Blumenthal left Ely & Co. for his new affiliation.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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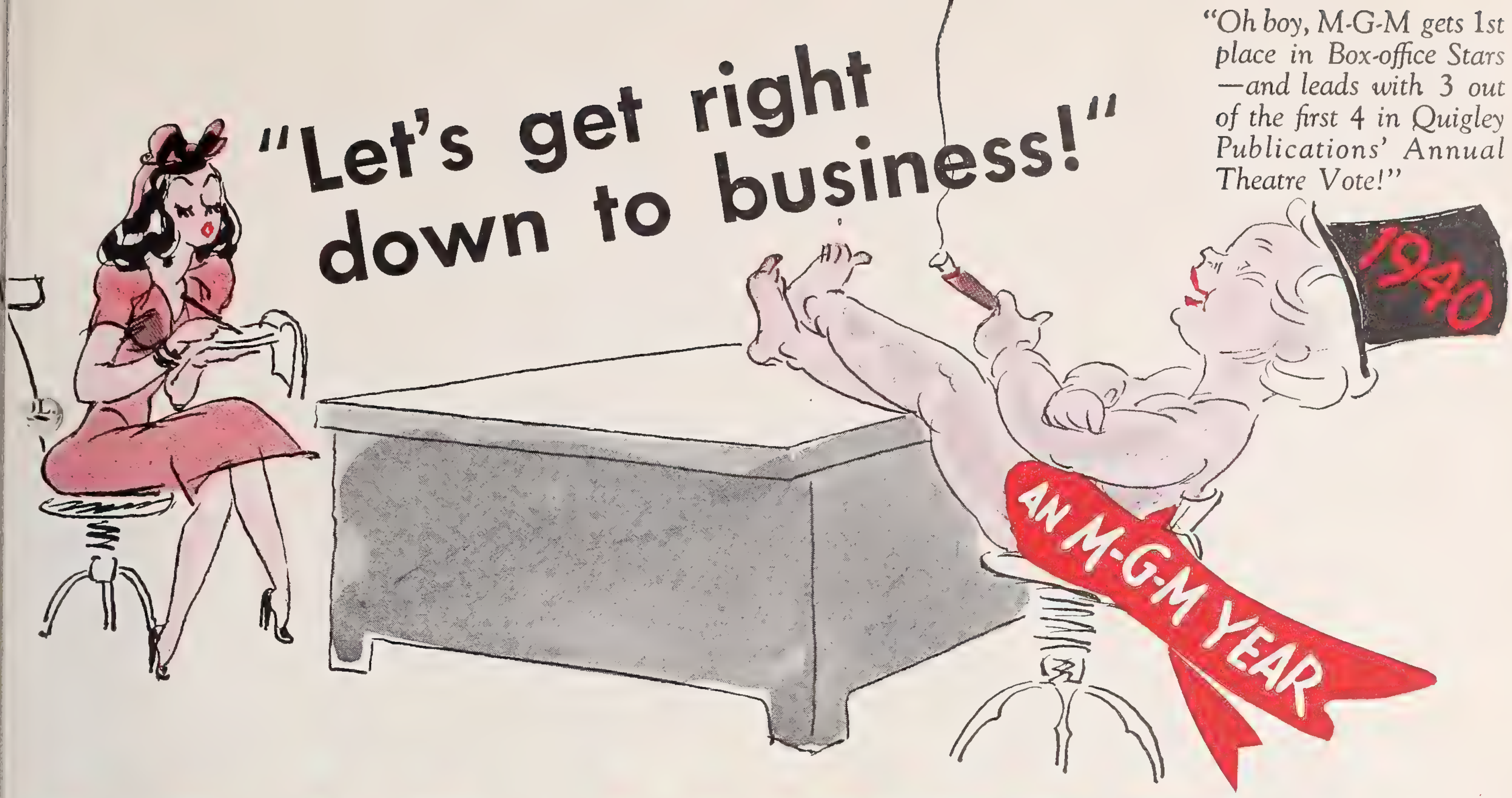
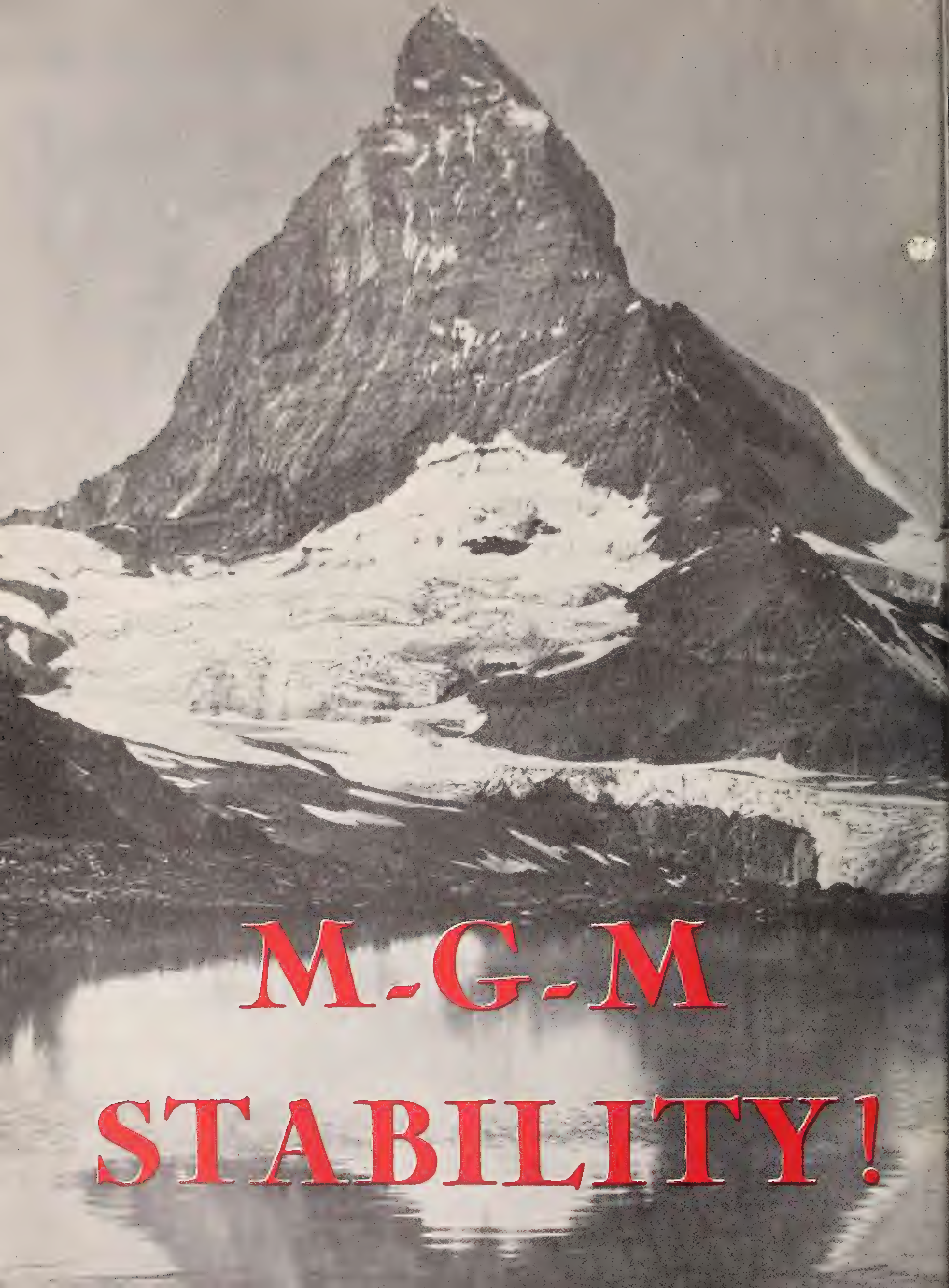

"Let's get right down to business!"
"Oh boy, M-G-M gets 1st place in Box-office Stars —and leads with 3 out of the first 4 in Quigley Publications' Annual Theatre Vote!"
1940
AN M-G-M YEAR

DEAR MISTER EXHIBITOR:

This is 1940 writing to you. I've just arrived and while I find this world a bit screwy I was delighted to discover one outfit with chin up, full of smiling optimism and courage that's admirable. I refer, of course, to Metro-Goldwyn-Mayer. I have looked over the M-G-M pictures that the Big Year of 1939 gave you, such as "The Women", "Thunder Afloat", "Babes in Arms", "Ninotchka", "Another Thin Man", "Judge Hardy and Son", "Balalaika" and others. They're great, but I assure you 1940 will do even better! This M-G-M outfit is your best bet. To start my new year, two pictures just previewed, are sensational: "THE SHOP AROUND THE CORNER" (*another Lubitsch hit starring Margaret Sullavan, James Stewart*); "EARL OF CHICAGO" (*starring Robert Montgomery*). Then there's "BROADWAY MELODY OF 1940" (*starring Fred Astaire, Eleanor Powell*); "STRANGE CARGO" (*starring Clark Gable, Joan Crawford*); "NORTHWEST PASSAGE" (*in Technicolor, starring Spencer Tracy*). That's just the start. I'll be seeing you.

(*Signed*) **1940** **AN M-G-M YEAR**


M-G-M
STABILITY!

THE MOUNTAIN WILL BE THERE TOMORROW!

It is a comforting thought in these uncertain times to find the leader of the motion picture industry serenely stable, solidly strong, thankfully capable of assuring continued security and prosperity to its thousands of friendly customers.

With justifiable pride M-G-M points to these year-end surveys of the trade publications, the accumulated vote of exhibitors from coast to coast. Watch for more surveys.

FIRST IN HITS!

Thirty percent of all the industry's Box-Office Champions in the last 10 years are M-G-M. *(Quigley Publications' Annual Poll.)* M-G-M was the Box-Office leader again in the past year. *(Box-Office Magazine's Report, Quigley Publications' Poll and others.)*

FIRST IN STARS!

M-G-M leads all companies in Box-Office Stars *(Box-Office Magazine's Report.)* M-G-M gets 1st place and leads with 3 out of the first 4 top-money stars. *(Quigley Publications' Annual Poll.)*

The current season has set a new hit record, even for M-G-M. Completed productions and others in the making assure continued happiness at your box-office. Your security is our responsibility and to that we pledge ourselves anew. **THE FRIENDLY COMPANY.**

Holiday Nets Best Grosses In Ten Years

(Continued from page 1)

tractions. The estimated Sunday gross of $25,000 broke the one-day record set more than 10 years ago, while the estimated weekend take of $53,000 upset the weekend record set by "Alexander's Ragtime Band."

Both the Astor and the Capitol played to capacity throughout the second week of "Gone With the Wind" at both houses. At the Capitol, the holiday week gross was an estimated $80,000 and at the Astor an estimated $22,000. Extra shows could not be added Sunday because of the length of the film.

"The Light That Failed" at the Rivoli continued at a fast pace with an estimated $22,000 rung up over the second weekend. Also in its second week, "Gulliver's Travels" with Glen Gray's orchestra, drew an estimated $25,000 at the Paramount over the weekend and $60,000 for the week. Because of its strong appeal for children, the film drew more than 13,000 admissions on each of five days during the holiday week.

At the Strand, "Four Wives," in its second week with Abe Lyman's orchestra on the stage, took an estimated $36,000 for the weekend.

The Globe, with "Big Guy" drew an estimated $6,500 while the Central, with "Marshal of Mesa City" and "North Sea Patrol," attracted an estimated $3,500.

Neighborhood theatres generally reported equally increased business over the holiday. Along 42nd St., managers said Sunday night business was "tremendous."

Fox Pushes Film Work in England

(Continued from page 1)

studio from Gainsborough to Shepherds Bush.

"A great majority of theatres have reopened," he added, "but the running hours are still staggered so that too many people won't be on the street at once. The greatest hazard to business are the blackouts. On moonlit nights business is excellent."

Kane said that the studio has completed its quota pictures up to March 31, including "King by Night" with Will Fyffe and "Shipyard Sally" with Gracie Fields.

Kane is here to confer with Joseph Schenck, Darryl F. Zanuck and William Goetz. Kane will remain until Feb. 15.

Graham, Hicks Confer

Robert L. Graham has arrived from Ancon, Canal Zone, where he has been Paramount manager, to confer with John W. Hicks, Jr., vice-president in charge of foreign distribution. He will go from here to Mexico City as assistant to Arthur L. Pratchett, Paramount general manager for Central America.

Telewesco Formed

ALBANY, Jan. 2.—Telewesco, Inc., Port Chester, N. Y., has been chartered, with H. I. Pettijohn, Hector Vieni and Anna Iahari as directors.

Hollywood Review

"High School"

(20th Century-Fox)

HOLLYWOOD, Jan. 2.—A lively story which gives Jane Withers every opportunity to enact one of her natural and unaffected roles should do much to put "High School" among her best pictures to date.

Based on an idea by Robert Ellis and Helen Logan, the original screenplay by Jack Jungmeyer, Jr., Edith Skouras and Harold Tarshis is unfolded against the background of Thomas Jefferson High School, in San Antonio, Texas, a widely publicized institution by virtue of its corps of ROTC boys, girls' lariat groups and the like.

Entering the school as an accomplished and cocky miss from a ranch, Jane discovers that the ability to get along with her fellow students is more than a matter of accomplishments or of being the Principal's niece.

A final plot twist involves a chase in old cars, reminiscent of Keystone days, and just as pleasing to the audience, judging by preview-night reactions.

Joe Brown, Jr., who is featured opposite Miss Withers, bids fair to establish himself solidly among audiences receptive to a completely disarming portrayal of youth. Paul Harvey, Lloyd Corrigan, Lynn Roberts and Cliff Edwards are seen to advantage, also, in the story directed by George Nicholls, Jr. Sol Wurtzel was executive producer, with John Stone as associate.

First of a projected series, the picture should create a demand for a continuing supply of more of the same.

Running time, 75 minutes. "G."*

WALTER SELDEN

"G" denotes general classification.

Northwest Gross Up, Says Hamrick

Theatre business in the Pacific Northwest has been on the upgrade in the last four months, according to John Hamrick, general manager of the Hamrick circuit in Seattle, Portland and Tacoma.

Hamrick said that for a long time labor controversies in Seattle held grosses down, but the increase in employment at airplane plants and other industries has helped business materially of late.

Hamrick is conferring with Spyros Skouras, head of National Theatres. In Seattle and Portland his theatres are part of National Theatres' Evergreen division.

He will be here two weeks and then vacation in Florida and Palm Springs. Mrs. Hamrick is accompanying him.

Midwest Buys Theatre

CINCINNATI, Jan. 2.—RKO Midwest Corp., which 20 years ago leased the 1,400-seat Lyric, and the building containing storerooms and offices, with privilege of purchase at $680,000, and amortized the purchase price through annual rentals on which four and three-quarter per cent interest was paid, has made the final payment of $100,000, and acquired outright title to the property.

Seek Fair Film Exhibit

SAN FRANCISCO, Jan. 2.—A drive has been started for a film picture industry exhibit at the 1940 Golden Gate International Exposition, to reopen on Treasure Island May 25 for a four-month run.

M-G-M Buys 'Escape'

HOLLYWOOD, Jan. 2.—M-G-M has purchased Ethel Vance's recent novel, "Escape," published first as a serial in the *Saturday Evening Post.*

'Hardy' at $9,500 In Oklahoma City

OKLAHOMA CITY, Jan. 2.—"Judge Hardy and Son" drew $9,500 to lead the town at the Midwest, while "Gulliver's Travels" took $8,300 at the Criterion.

Estimated takings for the week ending Dec. 30:

"Gulliver's Travels" (Para.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $8,300. (Average, $4,500)
"Allegheny Uprising" (RKO)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,500. (Average, $2,400)
"Judge Hardy and Son" (M-G-M)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $9,500. (Average, $4,000)
"Ninotchka" (M-G-M)
PLAZA—(750) (25c-35c-40c) 7 days, 2nd week. Gross: $1,300. (Average, $1,100)
"Amazing Mr. Williams" (Col.)
STATE — (1,100) (20c-25c-40c) 7 days. Gross: $4,000. (Average, $3,000)
"Joe and Ethel Turp Call on the President" (M-G-M)
TOWER — (1,000) (25c-35c-40c) 6 days. Gross: $1,200. (Average, $1,750)

'Gulliver' Detroit's Leader at $12,000

DETROIT, Jan. 2.—A special Christmas showing of "Gulliver's Travels" for children helped the Michigan to reach $12,000.

Estimated takings for the week ending Dec. 29:

"Tower of London" (Univ.)
"The Amazing Mr. Williams" (Col.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $4,900. (Average, $5,000)
"Babes in Arms" (MGM)
"Rulers of the Sea" (Para.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $4,800. (Average, $5,000)
"Everything Happens At Night" (20th-Fox)
"Charlie McCarthy, Detective" (Univ.)
FOX—(5,000) (20c-55c) 7 days. Gross: $12,000. (Average, $12,000)
"Gulliver's Travels" (Para.)
"The Secret of Dr. Kildare" (M-G-M)
MICHIGAN — (4,000) (15c-65c) 7 days. Gross: $12,000. (Average, $10,000)
"Dead End Kids on Dress Parade" (W. B.)
"The Cat and the Canary" (Para.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,900. (Average, $5,000)
"Judge Hardy and Son" (M-G-M)
UNITED ARTISTS—(2,000) (15c-40c) 7 days. Gross: $9,000. (Average, $10,000)

Studio Work Slows Down, 30 Shooting

HOLLYWOOD, Jan. 2.—Production dropped to 30 pictures before the cameras last week, as 15 finished and six started. Seventeen were being prepared and 74 were being edited.

The tally by studios:

COLUMBIA—Finished: "Five Little Peppers at Home," "Texas Express."
In Work: "Blondie on a Budget," "Too Many Husbands."
Started: "Passport to Alcatraz."
GOLDWYN—In Work: "The Westerner."
M-G-M—Finished: "Broadway Melody of 1940," "Young Tom Edison," "Arouse and Beware."
In Work: "Strange Cargo," "Florian," "New Moon," "I Take This Woman."
Started: "40 Little Mothers."
MONOGRAM — Finished: "Chasing Trouble," "Pioneer Days."
PARAMOUNT—Finished: "Safari," "Golden Gloves," "Hold Your Horses."
In Work: "Down Went McGinty."
PRODUCERS PICTURES — Finished: "Swift Justice," "Sagebrush Family Rides On."
RKO—In Work: 'The Primrose Path," "Irene," "Little Orvie," "Millionaire Playboy," Bill of Divorcement," "My Favorite Wife."
REPUBLIC — Finished: "Village Barn Dance."
In Work: "The Dark Command."
EDWARD SMALL—In Work: "My Son, My Son."
20TH CENTURY-FOX—In Work: "Dance with the Devil," "Hotel for Women No. 2," "I Was An Adventuress."
Started: "Cisco Kid No. 2."
UNIVERSAL — Finished: "The Devil Is Yellow," "Rigadoon."
In Work: "My Little Chickadee."
Started: "It Happened in Kaloha," "Black Friday."
WARNERS—In Work: "Virginia City," "We Shall Meet Again," "It All Came True," "Married, Pretty and Poor."
Started: "Three Cheers for the Irish."

$4,500 to 'Geronimo' As St. Louis Slumps

ST. LOUIS, Jan. 2.—Grosses were off here, but "Geronimo" and "High School" drew $4,500 at the Missouri.

Estimated takings for the week ending Dec. 28:

"Raffles" (U. A.)
"Dancing Co-Ed" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $11,700. (Average. $13,000)
"Everything Happens At Night" (20th-Fox)
"The Honeymoon's Over" (20th-Fox)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $8,500. (Average, $11,000)
"Charlie McCarthy, Detective" (Univ.)
"Flying Deuces" (RKO)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $9,000. (Average, $11,500)
"Geronimo" (Para.)
"High School" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,500. (Average, $4,000)

'Gulliver' at $6,500 Best in New Haven

NEW HAVEN, Jan. 2.—"Gulliver's Travels" and "Television Spy" at the Paramount was the only bill to gross over average, with $6,500.

Estimated takings for the week ending Dec. 28:

"The Amazing Mr. Williams" (Col.)
"Pack Up Your Troubles" (20th-Fox)
COLLEGE — (1,499) (25c-35c) 7 days. Gross: $2,000. (Average, $2,700)
"Judge Hardy and Son" (M-G-M)
"City in Darkness" (20th-Fox)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $7,500. (Average, $8,000)
"Gulliver's Travels" (Para.)
"Television Spy" (Para.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $6,500. (Average, $4,000)
"The Dark Angel" (U. A.)
"Waterfront" (W. B.)
ROGER SHERMAN—(2,348) (35c-50c) 4 days. Gross: $1,300. (Average, $5,000)

SWANEE RIVER

BIGGEST WEEK-END in all Roxy history...

(including every holiday week-end)!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

MUSIC HALL RECORDS BIGGEST DAY* IN HIST

FIVE SHOWS PLAY TO 30,000 ADMISSIONS!

WORLD'S LARGEST THEATRE PILES UP WORLD'S BIGGEST DAILY THEATRE GROSS!

**SUNDAY, DEC. 31*

Charles LAUGHTON in THE "HUN

OF NOT

SSMASHED WITH
ORY OF HOUSE!

CHBACK"

SWEEPING TO TERRIFIC HEIGHTS EVERYWHERE! . . ONE HUNDRED HOLIDAY OPENINGS SEE RECORDS FALL AND UNANIMOUS HOLDOVERS COAST TO COAST!

RKO
RADIO
PICTURES

E DAME *with* **SIR CEDRIC HARDWICKE • THOMAS MITCHELL • MAUREEN O'HARA • EDMOND O'BRIEN • ALAN MARSHAL • WALTER HAMPDEN • KATHARINE ALEXANDER**

Produced by PANDRO S. BERMAN • Directed by WILLIAM DIETERLE

Screen Play by Sonya Levien • Adaptation by Bruno Frank

Personnel, Theatre Notes

Shift Carolina Managers

RALEIGH, N. C., Jan. 2.—W. G. Enloe, city manager for North Carolina Theatres, Inc., has changed managers at three local houses. C. B. Rosson, manager of the State, has been transferred to the Carolina at Asheboro; N. H. Hicks, Capitol, succeeds Rosson at the State; to fill Hicks' place, G. H. Sturm is being shifted from the Palace to the Capitol, which leaves a vacancy yet to be filled at the Palace.

Georgia House Opens

MARIETTA, Ga., Jan. 2.—The Cobb, Marietta's newest house, seating 500, has opened. It was erected by Manning & Wink, operators of the Strand, the city's other theatre.

Build Arkansas House

PLIPPIN, Ark., Jan. 2.—This town's first film theatre is being erected here by W. N. Christian. The structure, located across from the Courthouse, will be of native stone and stucco.

Manages Pittsburgh Rex

PITTSBURGH, Jan. 2.—John J. Howley has been appointed manager of the Rex, formerly the Strand. He was with the Harris Amusement Co.

Finish Little Rock House

LITTLE ROCK, Ark., Jan. 2.—Construction work on the new Rex has been completed. The structure was designed by C. C. Mundo, manager of the theatre.

Manager in Milwaukee

MILWAUKEE, Jan. 2.—Francis Miller has been named house manager at the Riverside here, succeeding Charles Clark. Miller has been chief of service for the past several years.

Wuerz Palace Manager

MILWAUKEE, Jan. 2. — Charles Wuerz is the new manager at Fox's Palace, succeeding Jack Richards.

Reverts to Second Runs

PITTSBURGH, Jan. 2.—The Harris Family theatre in the East End neighborhood, has reverted to second run double features, after a brief trial period as a newsreel house.

Chicago Telenews Opens

CHICAGO, Jan. 2.—The Telenews, Chicago's first strictly newsreel theatre, has opened. The new house which seats 600, has a main floor seating capacity of 400 and a balcony seating of 200.

Open in Marshall, N. C.

MARSHALL, N. C., Jan. 2.—The new State has been opened here. It is owned and operated by Cherokee Amusements, Inc., of Erwin, Tenn. W. H. Parrott is president and Earle Hendren, secretary-treasurer.

Loew-Poli Staff Changes

NEW HAVEN, Jan. 2.—Harry F. Shaw, Loew-Poli division manager, has made the following theatre staff promotions: William Scanlon, assistant at the Loew-Poli here, named assistant at the Palace, Meriden; Sidney Klepper, formerly at Meriden, now assistant at the Palace, Hartford, succeeding John Feshler, resigned; Charles Guadino, assistant at the College here, new assistant at the Poli, New Haven; Harold Alpert, chief of service at the College, now assistant.

Reopen House in Iowa

AUDUBON, Ia., Jan. 2. — Floyd Thompson, who recently closed the Broadway for remodeling, has reopened it as the Rose. The seating capacity has been increased to 400.

Critics' Quotes . . .

"GONE WITH THE WIND"

A sincere effort has been made to translate faithfully Margaret Mitchell's comprehensive word picture of the passing of the old South. The screen adaptation is exceptional and noteworthy entertainment, but it lacks the full power of the novel to impress beholders with the significance of the tragic collapse of the social order (*Cincinnati Enquirer*). In its length alone, "Gone With the Wind" is the most imposing spectacle ever to reach the screen. It is magnificent, too, in its superb color, in its scrupulous details, in its scope, in its technical virtuosity, in its sheer extravagance. As to Margaret Mitchell's story, I don't know if that has been told so well. . . . The film is dominated by Vivien Leigh (*Cincinnati Time-Star*). The audience filed out, the richer by an experience unique in the annals of the motion picture. Never before had they seen a film of such dimensions. . . . Almost fanatically faithful to Margaret Mitchell's novel insofar as story is concerned. . . . Visually it is a treat. . . . One carries away from the picture a rich store of unforgettable images (*Cincinnati Post*).

"THE HUNCHBACK OF NOTRE DAME"

The Laughton study is one of his more striking portraits. . . . It is so striking that it will probably leave its mark on a whole film-going generation simply by frightening them half, or even two-thirds to death (*Boston Evening Transcript*). A gruesome horror film. . . . Charles Laughton . . . a makeup which probably will go down in the annals as the most horrendous of all times. . . . Produced with a lavish hand (*Boston Traveler*). Charles Laughton's is a horrific, and at times moving representation, but by no means the perfect achievement which was the late Lon Chaney's (*Chicago Tribune.*) The horror-shocker of them all is "The Hunchback of Notre Dame." . . . Charles Laughton is frightening and grotesque. . . . Has been given an incredibly spectacular mounting (*Boston Post*). Here's a bang-up piece of movie entertainment. . . . Its romantic scenes have umph and its horror scenes have wow. . . . Carried away by the excitement and suspense (*Kansas City Star*).

"GULLIVER'S TRAVELS"

A thoroughly pleasing show is "Gulliver's Travels." . . . Max and Dave Fleischer have produced a picture with many novel twists. . . . Entertaining for adults as well as children (*Kansas City Journal*). A fairy tale come to life and it's a lot of fun. . . . A bang-up color production. . . . Some of the artistic compositions are startling and delightful (*Kansas City Star*). The Fleischer production stands on its own footage as a diverting enough film for adults and a top-flight-of-fancy for youngsters (*Newsweek*). It was a noble effort, but in craftmanship, color, delicacy of treatment and invention, "Gulliver's Travels" falls considerably short of "Snow White," although reminiscent of it (*Time*). A full-length cartoon for which the younger patrons ought to be properly grateful. . . . An hour and a half of bright colors, broad humor and tuneful music (*Boston Evening Transcript*). An admirable color feature length cartoon. . . . An excellent piece of work and extremely funny at its best. . . . Children will enjoy it whole heartedly, and adults will enjoy themselves also (*Boston Herald*). A Christmas present for the younger generation, but it will also prove a delight to fond aunts, uncles and grandfathers. . . . Ingenious, tuneful and full of fun. . . . 75 minutes of delightful whimsy (*Boston Daily Globe*). Should be much more entertaining to children than the Disney classic, which primarily was for adults. . . . Great ingenuity is displayed (*Boston Traveler*). A grand Christmas present for the children, a picture book come to life. . . . Plenty of chuckles for the grownups (*Boston Post*). Jonathan Swift's 200-year-old classic, "Gulliver's Travels," given a shot in the arm by the ingenious Max Fleischer, will pop out your eyes and warm your heart. You'll dote on this fairy tale in color which combines fantasy and satire in such infectious blend (*Boston Evening American*).

"THE EARL OF CHICAGO"

Montgomery has plunged into the very depths of character melodrama . . . his portrait as the Earl of Chicago emerges as something that will cling in your mind long after his drawing-room roles have been forgotten. . . . Too many distracting points of incidental interest (*Hollywood Citizen-News*). Montgomery's interest in psychological studies led him slightly astray . . . the motive of the screen version is frequently obscured. . . . The character as a whole (Montgomery's) never seems genuine (*Los Angeles Daily News*). Montgomery's is a swell job . . . Direction is good, but uneven. . . .An unexpected treat. It should interest the average fan as well as the esthete (*L. A. Times*).

'Gulliver' Is Denver Lead With $12,500

DENVER, Jan. 2. — "Gulliver's Travels" at the Denham ran up a powerful $12,500. "Judge Hardy and Son" and "Mexican Spitfire" at the Orpheum took $12,000.

Estimated takings for the week e[illegible]ing Dec. 27:

"Housekeeper's Daughter" (U. A.)
ALADDIN—(1,400) (25c-40c) 7 days. 2nd week. Gross: $2,500. (Average, $3,500)
"Another Thin Man" (M-G-M)
"Secret of Dr. Kildare" (M-G-M)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 3rd week. Gross: $2,000. (Average, $2,500)
"Gulliver's Travels" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $12,500. (Average, $6,500)
"Everything Happens at Night" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $7,000. (Average, $9,000)
"Judge Hardy and Son" (M-G-M)
"Mexican Spitfire" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $12,000. (Average, $9,000).
"Mutiny in the Big House" (Mono.)
"Blondie Brings Up Baby" (Col.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $2,500. (Average, $3,500)
"Private Lives of Elisabeth and Essex" (U.A.)
"Smashing the Money Ring" (F. N.)
RIALTO—(878) (25c-40c) 7 days. "Elizabeth and Essex", 3rd week. Gross: $1,400. (Average, $1,750)

'That's Right' Pulls $25,000, Pittsburgh

PITTSBURGH, Jan. 2.—Kay Kyser pulled $25,000 at the Stanley with "That's Right, You're Wrong."

Estimated takings for the week ending Dec. 28:

"Shipyard Sally" (20th-Fox)
"Too Busy to Work" (20th-Fox)
ALVIN — (1,900) (25c-35c-50c). 3 days. Gross: $2,500. (Average, 7 days, $7,500)
"Daytime Wife" (20th-Fox)
FULTON — (1,700) (25c-40c), 7 days. Gross: $6,500. (Average, $5,000)
"Gulliver's Travels" (Para.)
LOEW'S PENN—(3,600) (25c-35c-50c), 7 days. Gross: $15,000. (Average, $13,000)
"Destry Rides Again" (Univ.)
SENATOR—(1,800) (25c-35c-50c) 11 days, 2nd week. Gross: $4,400. (Average, 7 days, $3,800)
"That's Right, You're Wrong" (RKO)
STANLEY — (3,600) (25c-40c-60c). On stage: Martha Raye, Wences, Jack Williams, the Lazanders, the Gracellas. Gross: $25,000. (Average, $17,000)
"Joe and Ethel Turp Call on the President" (M-G-M)
"The Return of Dr. X" (W.B.)
WARNER — (2,000) (25c-40c) 7 days. Gross: $5,500. (Average, $5,000)

Ask Libel Suit Dismissal

Application to dismiss the $500,000 libel suit of Donald Besdine against the Metropolitan Life Insurance Co., Bamberger Broadcasting Service, Inc., Edwin C. Hill, Leroy A. Lincoln and Wodaam Corp. was filed in the N. Y. Supreme Court yesterday. Dismissal of the suit, which also claims conspiracy to force the plaintiff out of business, is requested for failure to state a cause of action.

Montague to Testify

BOSTON, Jan. 2.—Abe Montague, general sales manager for Columbia, will testify tomorrow morning in the Morse & Rothenberg anti-trust action against the major companies. Moe Streimer, United Artists New York branch manager, completed his testimony today and was followed by Seymour Schussel, New York salesman for Columbia.

Plan for RKO Is Confirmed By High Court

(*Continued from page* 1)

were a complete transfer of assets to the new company, payment of allowances and issuance of securities.

The decision also removes any question as to the execution of the agreement under which Atlas underwrites 500,000 shares of new RKO common stock. The agreement, as offered by Atlas, stipulated that a decision of the Supreme Court granting a review of the plan would give Atlas the right to withdraw.

Cassel had attacked the plan with the contention that it did not adequately compensate debenture holders for their loss of security and preferred creditor status. Stirn claimed that the 1931 charter amendments of the company were invalid and that certain compromises of claims were improper. On appeal to the Circuit Court his principal attack was directed against Atlas participation.

Trade Watches Bills In State Legislature

(*Continued from page* 1)

throughout the state are vigorously opposed to its imposition.

An eleventh hour drive for a sales tax in 1939 failed because the Republican majority in the Senate could not whip the necessary 26 votes into line for Senator Martin's measure. Upstate mayors and town officials have already prepared their sales tax demands for the 1940 session beginning today and at least a 50-50 chance of passage is accorded exponents.

Theatres, of course, are hopeful of excluding admissions from any sales tax scale, but would have scant chance of so escaping from a broad-based levy of this nature.

Next in importance is an effort to legalize bingo and bank nights. The New York State Council of Churches has announced its intention to fight any further attacks on the state's anti-gambling statute.

Along the line of gambling will be included the legalization of pari-mutuel horse race betting to effectuate the 2-1 vote given the amendment by the voters last November. Since the margin was so decisive, there is no question but what the enabling act will be adopted, but the fight is expected to circle about exhibitors' efforts to keep race track admission prices up above a dollar to offset threatened betting competition with the theatre. Senator John J. Dunnigan and other pari-mutuel advocates are expected to fall in line with this theory. Theatre chains and MPTOA members, particularly in Western New York, will make a strong fight against more race tracks in the state.

Assemblyman Robert Crews will re-introduce the I.A.T.S.E. "full crews" measure. Such controversial issues as a raise on footage, tax on admissions, billboard tear-downs and theatre employment agencies will again recur, with both the Federation of Labor and CIO groups favoring a change in the employment agency statute.

'39 Billings Up 14%, Set Mutual Record

Gross billings for 1939 rose to $3,329,782 for the Mutual network, an increase of 14 per cent over the 1938 figure of $2,920,324. The 1939 gross was the largest in Mutual's history.

In December, billings totaled $317,699 as compared with $337,369, a drop of 5.8 per cent.

Cooperative shows produced a gross revenue of $402,043 during the year. Among the agencies, Ivey & Ellington gave Mutual the largest amount of business, a total of $521,614. The other leading agencies were:

Ruthrauf & Ryan, $420,016; R. H. Alber Co., $304,651; Erwin, Wasey & Co., $228,265; B. B. D. & O., $224,405; Biow Co., $157,036; Critchfield, $132,460; Young & Rubicam, $113,008; Grady & Wagner, $102,576; and Kelly, Stuhlman & Zahrndt, $99,565.

Small Brokers Still Defy Tickets Code

The deadline set by the League of New York Theatres for the signing of the ticket code by the smaller brokers passed yesterday without any change of attitude by either side.

Gustave A. Gerber, attorney for Associated Theatre Ticket Agencies, declared that "We haven't been hurt yet" but indicated that legal action would be brought to restrain enforcement of the code as soon as the present supply of tickets was exhausted.

Most of the brokers, who receive their allotments in advance, have a supply for the next 10 days. Six brokers, including the three largest agencies, have accepted the code.

TBS Delays Start For 30 More Days

Transcontinental yesterday set out to obtain the business which would permit the network to start operations on Feb. 1.

TBS, which was originally scheduled to start Jan. 1, was compelled to postpone the opening when Blackett-Sample-Hummert declined to place the accounts of American Home Products and Sterling Products. Network officials asserted that B-S-H had made definite commitments to place the show, while the agency declared that the business was not placed because it contended that TBS had failed to offer sufficient evidence of its financial stability.

Assessment Fights By 20th-Fox, Roxy

Twentieth Century-Fox and the Roxy Theatre, in separate N. Y. Supreme Court actions, yesterday took steps to obtain reductions of 1938 tax assessments.

Application was filed by Fox for an order directing the City Tax Commission to file a return to a suit by the company for a reduction of $115,000 on 1938 assessments. Taxes affect a warehouse and two buildings owned by the company in New York.

The City Tax Commission was directed by Supreme Court Justice McLaughlin to file a return by Feb. 13 to Roxy's application for $995,000 assessment reduction on 1938 taxes. Failure to do so will result in contempt proceedings, the order provided.

U. A. Will Contest Goldwyn-Warner 'Westerner' Deal

(*Continued from page* 1)

livering the picture to Warners. Industry attorneys pointed out that this would involve a legal test of the Goldwyn contract with United Artists, which was the objective of the Goldwyn action dismissed by the Wilmington Federal court last week.

United Artists denied reports that Goldwyn had been given a release from his contract or that the producer's one-fifth stock interest in United Artists had been turned in to the company.

United Artists officials are on record as having stated that they would give Goldwyn a release if he relinquished his stock in the company, for which, they said, he paid nothing.

Goldwyn is scheduled to arrive in New York from the Coast on Saturday to receive the award of the New York Film Critics who recently voted his "Wuthering Heights" the best picture of the year. The award will be presented at the Rainbow Room on Sunday.

Equity Postpones Television Action

Action by Actors Equity on television wage scales was postponed until next week at yesterday's council meeting because of the failure of the American Federation of Radio Artists to send a committee to discuss the issue.

The council asked A.F.R.A. to send Emily Holt, executive secretary, and George Heller, New York executive secretary, next week if A.F.R.A. is still unable to assemble a committee. Discussion among Equity members yesterday centered around the need for immediate negotiations with NBC.

Philip Loeb, chairman of the committee which is investigating Equity's relations with its parent body, Associated Actors and Artistes of America, read his report but the contents were not made public. The report concerned itself mainly with the financial setup of the 4-A, and was sent after the meeting to Screen Actors Guild, A.F.R.A. and Chorus Equity. It is believed that the four branches, which are the heaviest financial contributors to the 4-A, may unite in a plan to effect economies.

Dismiss Trust Suit In Florida Court

MIAMI, Jan. 2.—The anti-trust suit filed Jan. 19, 1939, against eight major companies and two local circuits, Paramount Enterprises, Inc., and Wometco Theatres, Inc., has been dismissed in Federal Court.

Plaintiffs were Washington Operating Co. and Garden Operating Co., which operate the Cameo and Surf. Herman Weingarten, president of both companies, Brooklyn theatre operator now at Miami Beach, will retire from exhibition in this area.

Hoffberg Changes Name

J. H. Hoffberg has changed the name of his company from J. H. Hoffberg Co., Inc., to Hoffberg Productions, Inc.

RKO, 'U' Sign Deal With Ad Accessories

(*Continued from page* 1)

distributor will be rented. All material must be returned by the exhibitor and no article will be sold, Casanave said. He said that rates to be charged would be "very moderate," but declined to compare them with current accessories' costs due to the fact that much of the material now is being sold outright, thus affording no accurate basis for comparison.

Exclusive Distribution

Contracts with the distributors give Advertising Accessories exclusive distribution rights to the entire display ad material of the companies. These include all standard accessories in the poster, card and ad mat lines. In addition, the same organization will be able to supply exhibitors with all of the special accessories now being distributed by National Screen Accessories.

With the inception of the deals on Feb. 1 Advertising Accessories will take over all of the regular size paper now on hand in the exchanges of the three companies with whom it has closed and begin handling that material.

Gigantic Artists Staff

The new company, as it did in the case of Paramount, will absorb as many of the employes of the RKO and Universal accessories departments and the distributors themselves will absorb others, it was said.

Advertising Accessories eventually will have one of the largest art staffs in the commercial world, Casanave declared. He emphasized that advertising heads of the individual companies would continue to originate the ideas for the display ads and will send their visual sheets to Advertising Accessories for development and manufacture.

In this way, he pointed out, any danger of the accessories of all companies becoming standardized will be avoided.

Casanave pointed out that the development will be a great convenience to the exhibitor, who will be able to purchase a large part of his total accessories needs in a single office, and that the distributors will benefit by having their accessories sold by a sales organization specializing in those lines alone.

5-Year Campaign Successful

He said that the deals just closed culminate a five-year effort by National Screen to establish centralized distribution of accessories. The new company hopes eventually to add exploitation novelties and specialties for rental to exhibitors, he said.

Announcement of the new service has brought instantaneous response from exhibitor organization leaders throughout the country in wires of approval, Casanave said. Among those commending the innovation were: Abram F. Myers, chairman, and H. A. Cole, president of Allied States Ass'n.; Ed Kuykendall, M. P. T. O. A president; Max Cohen, president of New York Allied; Harry Brandt, I.T.O.A. president, and W. A. Steffes, president of Northwest Allied.

New York Pays Tribute To A Great Paramount Picture

Paramount is proud to report that Ronald Colman, in William A. Wellman's production of Rudyard Kipling's "The Light That Failed," with Walter Huston, Ida Lupino, Muriel Angelus and Dudley Digges, has given the New York Rivoli Theatre its biggest week's business in 6 years.

Paramount Pictures

Screen Play by Robert Carson

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 3 NEW YORK, U. S. A., THURSDAY, JANUARY 4, 1940 TEN CENTS

B. & K. Balks 'Wind' Terms; Film to Rivals

Two Loop Houses to Open Picture on Jan. 25

CHICAGO, Jan. 3.—Unable to come to terms with Balaban & Katz on the first-run Chicago engagements of "Gone With the Wind," M-G-M on Jan. 25 will open the picture in the Oriental, Jones, Linick & Schaeffer's theatre, and the Woods. Essaness house.

M-G-M had been negotiating a deal with B. & K. for two Loop theatres and, later, for three subsequent run houses in various parts of the city, the five engagements to run simultaneously. In addition to the 70 per cent rental asked, inability to get suitable B. & K. Loop theatres for a double roadshow handicapped a deal with the major circuit.

The Woods is a double bill house, seating about 1,200. Its "Gone With the Wind" policy will be the same as at the Astor in New York, two reserved-seat showings daily. The Oriental, seating 3,200, will have three performances daily, with the evening show reserved.

M-G-M yesterday disclosed additional engagements, bringing the total

(*Continued on page* 4)

'Heights' Broadcast On Critics Program

New York film critics played host to Mayor LaGuardia at the United Artists projection room yesterday afternoon for a special screening of "Wuthering Heights," winner of the 1939 Critics' award. The mayor, who will speak Sunday night on an NBC broadcast of the awards, had not previously seen the film.

Scenes from the film will be dramatized on the program. Several scenes from "Mr. Smith Goes to Washington" also may be included. NBC orchestras in New York and Hollywood will play hit tunes from films produced during the past year. The remainder of the program will consist of short speeches.

Tentatively scheduled to be heard from New York are Mayor LaGuardia, Samuel Goldwyn, producer of "Wuthering Heights," and Kate Cameron, president of the New York Film Critics.

Those scheduled to be heard from

(*Continued on page* 2)

Suit Today to Attack Theatre Ticket Code

Members of the Associated Theatre Ticket Agencies voted last night to bring suit to restrain the enforcement of the League of New York Theatres ticket code.

Gustave A. Gerber, A.T.T.A. attorney, declared after the meeting that the suit would be brought today in N. Y. Supreme Court for "restraint of trade and conspiracy."

Combat Neely Bill, 400 Urged at Rally

About 400 persons were urged to act for the defeat of the Neely bill at a mass meeting sponsored by the New York I.T.O.A. yesterday at the Hotel Astor. Harry Brandt, president of the I.T.O.A., was the chief speaker.

After discussing the bill in detail, Brandt asked those present to register protests against the measure with their Congressmen and to solicit support for the campaign among their landlords, bankers, employees, equipment firms and others with whom exhibitors do business. Suggestions from the floor were that telegrams be used for the remonstrances and that newspaper cooperation be obtained.

In addition to theatre and film men, the gathering included representatives of supply companies who were asked to attend the meeting by exhibitors.

Before Brandt's discussion, Gilbert Josephson, operator of the World Theatre, read the Neely bill. Members of the I.T.O.A. board on the dais, in addition to Brandt and Josephson, were David Weinstock, Hyman Rach-

(*Continued on page* 4)

British Government Ready to Aid Trade With Cash Proposal

LONDON, Jan. 3.—Realizing that the British film industry faces a serious situation unless it receives early financial support, the Government intends to come to its rescue by promoting a financial plan, as yet undesigned, Parliamentary circles believe.

The Films Council will meet tomorrow to study the practicability of the production financing.

However, as yet the method of supplying the funds is undetermined. The indifference of the financial district of London to lending money for films indicates the need either of a Government subsidy or a guarantee of private loans by the Government. The latter is considered more probable.

Labor unions are insisting that the quota provisions of the Films Act be retained unaltered, although they are understood favorably disposed toward the credit bank idea, if it supplements

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U.S. Majors Revive London Films Soon

Practically all major American producing companies will resume British production within the next 30 or 60 days.

M-G-M has prepared plans for the production of four multiple quota credit pictures in England.

The first, "Busman's Holiday," is scheduled to start late this month. Ben Goetz, in charge of British production, and Robert Montgomery, who

(*Continued on page* 2)

U A Releasing Deal Obtained By Roosevelt

Silverstone Hails Move; 'The Bat' First Film

Maurice Silverstone

James Roosevelt yesterday signed a long term, exclusive distribution contract with United Artists for sales and distribution of all pictures made by his newly formed Globe Productions, Inc., of which he is president.

Roosevelt's first production will be "The Bat," rights to which he acquired recently from Mary Pickford, and which is scheduled to start April 1. He will make two or more features a year for United Artists release under his contract, which is believed to cover a minimum period of five years. Production will be at the Samuel Goldwyn studios, of which Roosevelt is president.

James Roosevelt

Roosevelt resigned recently as vice-president of Samuel Goldwyn Prod., the Goldwyn producing company, after a year in that post. His affiliation with United Artists comes on the heels of Goldwyn's attempts to terminate his distribution contract with that company, marked this week by his closing of a distribution contract with Warners for "The Westerner."

Negotiations for Roosevelt's affiliation with United Artists were conducted by Maurice Silverstone, head of the company's world wide operations, during his December visit to the coast.

With the closing of the deal yesterday, Silverstone said: "The enlistment of this young producer is a most important event, not only to United Artists, but to the industry. He has not only financed and organized his own company but will be, in every

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RKO Sees Court Rule Over By Feb. 1 After Seven Years

RKO stands a good chance of emerging from reorganization by the end of January, almost seven years to the day since it consented to an application for an equity receivership, Jan. 27, 1933, according to attorneys engaged in the final phases of the company's rehabilitation process.

With the transfer of assets to the new RKO company, expected late this month or early in February, the company's board and management will assume operating control free of court and trustee supervision. Irving Trust Co., RKO trustee, however, will be engaged in winding up details of the reorganization for some time thereafter.

RKO is expected to show a profit for 1939. Results for the final quarter will be well in the black and more than compensate for the $68,070 loss reported for the first six months of the year. Profit for 1939, however, depends entirely upon the extent of year-end adjustments, not yet determined, and whether or not any allocation is made to reserve.

Purely Personal

BARNEY BALABAN, AUSTIN KEOUGH, ROBERT MILTON, MADGE EVANS, JOHN GOLDEN, A. P. WAXMAN, VERNON DUKE, MONTE PROSER, ROBERT WEITMAN, JACK PEGLER, HUGH MARLOWE, WALTER ABEL, DAVID BLUM, BERNARD SOBEL, AL LEWIS, BORIS KAPLAN and MARTIN BECK lunching at Sardi's yesterday.

•

HERBERT YATES, M. J. SIEGEL, JACK COHN, EMANUEL SILVERSTONE, ARTHUR LEE, WILLIAM FITELSON, JOSEPH MALCOLM, SAM CITRON, ROBERT SAVINI, CHARLES CASANAVE, BUDD ROGERS, HARRY GOLD and HARRY BUCKLEY at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, leaves tomorrow for his annual vacation in Hollywood Beach and Miami. He plans a trip to the studio on his return.

•

DOUGLAS YATES returns to the Republic studio today after spending the holidays with his parents, MR. and MRS. H. J. YATES.

•

EDWARD LUDWIG and JACK HIVELY, RKO directors, this week concluded their New York vacations and returned to Hollywood.

•

NORMAN MORAY of Warners has left for Florida where he will remain three weeks.

•

TOM PETTEY, press representative for the Producers Association, is in New York from Hollywood for a one week visit.

•

VIRGINIA A. LYNN is supervising the production of a film for the Hebrew Kindergarten and Infants Home.

•

HARRY DAVID is here from Salt Lake City for Paramount home office conferences.

•

HARRY COX, National Theatres treasurer, is vacationing in Florida.

•

MR. and MRS. LEOPOLD FRIEDMAN have returned from Florida.

•

BRUCE JOHNSON is in town from San Francisco.

Kreisler Is Winner In Universal Drive

B. Bernard Kreisler, Washington branch manager for Universal, was the national winner of the first prize of $1,500 and a two-week trip to Hollywood in the Exhibitor-Sponsored Testimonial to New Universal.

Kreisler led all Universal branch managers in the country in the drive. He is distributing the $1,500 cash prize among his office personnel of 30.

Souhami to Buffalo

Edmund Souhami, New York Allied counsel, will attend a regional meeting of the organization in Buffalo Monday. A regional meeting is scheduled for Syracuse Jan. 18 and in New York City the same week.

First Customer

Chicago, Jan. 3.—The independently - owned Telenews theatre is showing a newsreel this week that features the first ticket purchaser. Given the spotlight as he walked through the turnstile is none other than John Balaban, head of the Balaban & Katz circuit here.

Indianapolis Fee Faces Court Test

INDIANAPOLIS, Jan. 3.—Hollywood Theatre Corp. here has filed suit in Marion County Superior court, seeking a declaratory judgment on validity of the city's $100 annual theatre license fee.

The plaintiff contends that a 1937 Indiana law nullifies the 1925 city ordinance under which the fee is collected. Edward H. Knight, City Corporation Counsel, said that no attempt to collect the 1940 fees will be made until the court has decided.

Holiday Business Strong at Chicago

CHICAGO, Jan. 3—Local exhibitors report that business over the New Year's weekend was of almost record proportions. Many theatre men found business to be the best it has been in the past eight years. Loop theatres did extra shows on Saturday and Sunday nights with the admission prices advanced to as high as $1.10. All Loop theatres were sold out at all shows.

Harry Davis, Film Pioneer, Dies at 78

PITTSBURGH, Jan. 3.—Harry Davis, 78, who opened the first film house in the world in association with the late Pennsylvania Senator, John P. Harris, died here yesterday after 12 years as an invalid. They opened their theatre here in 1905, calling it the Nickelodeon. He sold his interests to the Stanley Co. of America in 1927. He is survived by his wife and a sister, widow of Senator Harris.

MPPA Discusses Requests of Guilds

HOLLYWOOD, Jan. 3.—The Motion Picture Producers Association, in a formal monthly meeting last night, discussed representations made by the Screen Actors Guild and Publicists Guild, but took no final action in the matter.

James Roosevelt reported to the meeting on the activities of the Motion Picture Relief Fund.

Richey at ITO Meet

H. M. Richey, director of exhibitor relations for RKO, will be one of the speakers at the annual convention of the I.T.O. of West Virginia at Charleston, W. Va., next Tuesday. Richey returned yesterday from Detroit, where he spent the holidays with his family.

Hays Meeting Today

Meeting of the M.P.P.D.A. board of directors, scheduled for yesterday, was postponed to today because of a lack of a quorum.

Trust Suit Counsel Hold Parley Today

Attorneys for major company defendants in the Government's New York anti-trust suit will confer today with Paul Williams, special assistant to the U. S. Attorney General, and William Farnsworth, special Government attorney.

The conferences will be concerned with clarification of the interrogatories served on the Government recently by the defendant companies. Similar conferences were held last Fall on simplification of the interrogatories served on the defendants by the Government and resulted in important limitations being placed on the Government's questionnaires.

Any objections which the government may interpose to the majors' interrogatories must be filed by Jan. 15 under a stipulation recently signed by parties to the suit.

Columbia Division Meeting Saturday

First of four divisional sales meetnigs to be held by Columbia this month will take place at the Mayflower, Washington, on Saturday and Sunday.

Home office sales executives who will attend include Abe Montague, general sales manager, who will preside, and Rube Jackter, Louis Astor, Louis Weinberg and Max Weisfeldt. Others include Sam Galanty, division manager; A. S. Moritz, Cincinnati branch manager; A. H. Levy, Pittsburgh branch manager, and L. Zucker, Cleveland branch manager.

The meeting will discuss the company's forthcoming product and sales plans for it. Subsequent meetings will be held in Chicago, Dallas and San Francisco.

British Government Ready to Aid Trade

(Continued from page 1)

and not substitutes for the Films Act.

Exhibitors favor in principle the cooperative production plan, and will consider it further at an executive meeting Tuesday.

The producers' organization, which today elected Michael Balcon as chairman for the current year, claims inadequate representation on the Films Council, contending that Capt. Richard Norton is the only actual producer on the council.

'Heights' Broadcast On Critics Program

(Continued from page 1)

Hollywood include William Wyler, director, Laurence Olivier, Merle Oberon and Geraldine Fitzgerald, who appeared in the film; John Ford, who won the director's prize; James Stewart, winner of the actor's award, Vivian Leigh, winner of the actress's award, and Jean Arthur.

Gets Cleveland Post

CHICAGO, Jan. 3.—Ted Mendelsohn, city salesman for Warner Bros., here has been named branch manager of the Warner Cleveland office. Mendelsohn, formerly with M-G-M, leaves to take over his new duties on Jan. 8.

Lehman Hits Delay In Billboard Laws

Albany, Jan. 3.—Governor Lehman struck sharply at opposition to the regulation of billboard advertising, in his annual message to the state legislature which convened today.

He pleaded for no further delay in the enactment of a ban on displays near certain important intersections, forests and the like. He said "Neither the billboard industry nor the self-centered property owner should longer be allowed to delay it."

U.S. Majors Revive London Films Soon

(Continued from page 1)

will star in that and a second film, sail today on the *Saturnia* to resume production which was interrupted by the outbreak of war.

It is planned that Goetz will spend six months in England and six months at the M-G-M studio on the Coast to prepare scripts and arrange his casts. Mrs. Goetz is remaining on the Coast.

Sistrom Coming to N. Y. To Discuss English Films

William Sistrom is expected in New York from the Coast in about 10 days to confer with George J. Schaefer, RKO president, and Phil Reisman, vice-president and foreign head, on the company's plans for British production activities.

Understood that Sistrom may head RKO's producing unit in England and if plans are completed at the home office conferences he may leave for London shortly thereafter.

Rose Due Here Monday; Sails for England Jan. 15

David Rose, head of Paramount's British production, will arrive from Hollywood on Monday for final conferences on British production arrangements before returning to London.

Paramount plans to produce four large budget pictures in England, one of which will star Madeleine Carroll, who agreed to accept the assignment in England after conferring with Rose. The latter is scheduled to sail on the *Statendam* Jan. 15.

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DAILY
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NOTICE TO THE TRADE!

"GONE WITH THE WIND"

will be shown everywhere exactly as it was shown in its World Premiere in Atlanta. There has never been any intention of cutting the picture following Atlanta.

'Wind' Draws Fine $62,500 To Lead Hub

BOSTON, Jan. 3.—"Gone With the Wind," playing at two theatres here, Loew's State and Orpheum, combined for an approximate $62,500.

Estimated takings for the week ending Dec. 27:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,600) (75c-$1.10-$1.50) 7 days. Gross: $27,500. (Average, $11,000)
"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (75c-$1.10-$1.50) 7 days. Gross: $35,000. (Average, $14,500)
"Gulliver's Travels" (Para.)
"Our Neigbhors, the Carters" (Para.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $14,500)
"Remember" (M-G-M)
"Nick Carter" (M-G-M)
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross: $4,000. (Average, $4,500)
"Destry Rides Again" (Univ.) (2nd week, 4 days)
"Laugh Off" (Univ.) (2nd week, 4 days)
"Hunchback of Notre Dame" (RKO) (3 days)
KEITH MEMORIAL—(2,907) (25c-35c-40c 55c). Gross: $19,500. (Average, $14,500)
"Remember" (M-G-M)
"Nick Carter" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Rulers of the Sea" (Para.)
"Dress Parade" (W. B.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $4,000. (Average, $4,500)
"Heroes Blue" (Mono.) (4 days)
"Crashing Through" (Mono.) (4 days)
Vaudeville (4 days)
"Fugitive at Large" (Col.) (3 days)
"Beware, Spooks" (Col.) (3 days)
KEITH BOSTON—(3,200) (25c-35c-40c). Gross: $10,300. (Average, $9,000)

'Hardy' at $10,000 Indianapolis Best

INDIANAPOLIS, Jan. 3. — "Judge Hardy and Son" and "Fast and Furious" paced the town, giving Loew's $10,000. Strong at the Circle was "Gulliver's Travels," with $7,500.

Estimated takings for the week ending Dec. 29:

"The Amazing Mr. Williams" (Col.)
APOLLO—(1,100) (25c-40c) 7 days. Gross: $1,200. (Average, $2,500)
"Gulliver's Travels" (Para.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $7,500. (Average, $6,000)
"Four Wives" (W. B.)
"The Honeymoon's Over" (20th-Fox)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $5,500. (Average, $5,000)
"Judge Hardy and Son" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $10,000. (Average, $7,000)
"Barricade" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: "Night at Moulin Rouge." Gross: $11,000. (Average, $8,000)

Boston Case Delayed

BOSTON, Jan. 3. — Abe Montague, general sales manager for Columbia, and Seymour Schussel, Columbia salesman in New York, testified today in the anti-trust suit of Morse and Rothenberg against the major movie companies. A request for a continuance was granted and the hearing was given a four-day suspension until Monday morning.

New Anti-Trust Suit

PHILADELPHIA, Jan. 3.—A $75,000 damage suit charging violation of the anti-trust laws was filed today by owners of the Admiral Theatre. Twelve major companies and Robert Lynch, Philadelphia manager of Loew's, Inc., are defendants.

Theatre, Personnel Notes

Danz Buys Theatre

SEATTLE, Jan. 3.—John Danz has bought the Circle here from S. Mukai, Japanese exhibitor. The house, located in the Oriental section of the downtown district, will be added to Danz's second run Sterling Chain circuit.

Close Camden, O., House

CAMDEN, O., Jan. 3.—The 200-seat Dover has closed, without reason being given by Orville Wood, manager. Date of reopening is indefinite.

Form Theatre Firm

CHAR'OTTE, N. C., Jan. 3.—Catawba Theatres, Inc., here has been chartered to own and operate theatres by L. C. Sipe, H. H. Everett, Charlotte; K. P. Drace, Newton, N. C., and F. J. Powell, Chester, S. C.

Open Theatre in Texas

AMARILLO, Tex., Jan. 3.—Seating 552 and erected at a cost of $30,000, the Star has opened here. The house was built by A. H. Truitt.

Manages Louisiana House

SHREVEPORT, La., Jan. 3.—R. M. Swanson of Texarkana has been named manager of the Strand here, succeeding Joe Gordon.

Dowie Named Manager

WAYNESVILLE, O., Jan. 3.—Wayne Dowie, assistant manager of the New Arcade, at Newark, O., has been named manager of the New Twin here. Both houses are units of the Rader Brothers' circuit.

Managing Frisco House

SAN FRANCISCO, Jan. 3.—Ken Williams, formerly with the Goldberg circuit here, has been named manager of the Circle, recently remodeled as a newsreel house.

Remodel in Santa Cruz

SAN FRANCISCO, Jan. 3.—Pacific States Amusement & Realty Corp. will remodel the Santa Cruz Theatre at Santa Cruz, at cost of $40,000.

Form Frisco Company

SAN FRANCISCO, Jan. 3.—People's Theatre Co. has been incorporated here by David B. and Edith Levin, and Manuel Snyder.

Open Iowa Theatre

LEMARS, Ia., Jan. 3.—The March Brothers Theatres, Inc., have opened their new Pix here, replacing the old Elite. The theatre was completely rebuilt and has 270 new seats.

B-K Balks 'Wind' Terms; Rivals Win

(*Continued from page 1*)

to 47 dates in 45 cities where "Gone With the Wind" will open late in January or early in February.

Additional openings on Jan. 25 include the Warfield, San Francisco; Broadway, Portland, Ore., and the Fifth Avenue, Seattle. The Palace, Milwaukee, will open the film Jan. 26. On Jan. 31 it will start at the United Artists, Long Beach, Cal., and the California, San Diego, and on Feb. 1 at the Fox, Oakland.

400 Quit Embassy, Imperiled by Blaze

Embassy Newsreel Theatre, 1560 Broadway, opened four hours late yesterday as result of a fire the preceding night in a clothing store directly above. The theatre suffered no damage.

About 400 patrons, in the house Tuesday night when the fire occurred, were compelled to leave. Refunds were issued.

Ballance Resigns Paramount Office

Charles Ballance, former managing director for Paramount in India, has resigned from the company because of ill health. No successor has been named yet. Ballance returned to the United States some time ago and underwent a series of operations. He is now recuperating in Miami, Fla.

Dies' Coast Inquiry To Take 2 Months

WASHINGTON, Jan. 3. — Approximately two months will be required to complete the investigation of subversive activities on the West Coast, the House of Representatives was told today by the Dies Committee investigating un-American activities.

The Committee last month announced it had identified some score of members of the Hollywood film colony as having aided the Communist cause. It did not go into detail regarding that phase of its inquiry in a lengthy report submitted as the life of the investigation expired.

No recommendation for continuance of the probe was made, but Chairman Dies, now ill at his home in Texas, has announced he will introduce a resolution to that effect.

N.Y. Production Plan Expected in 2 Weeks

Definite plans to encourage motion picture production in New York may be completed within two weeks, Clendenin J. Ryan, Jr., head of Mayor La Guardia's new Chamber of Commerce, said yesterday.

Meanwhile, Ryan said, both the Mayor and himself will abstain from further comment on the campaign.

Ryan reiterated that the local production campaign is only a single phase of his department's efforts to win new industries for the city and to retain those now located here.

Fox Officials Testify In Suit on 'Lincoln'

Robert E. Sherwood and the Playwrights Producing Co., plaintiffs in a suit against Twentieth Century-Fox, yesterday called upon the testimony of Charles E. McCarthy and Harry M. Goetz at the start of trial before N. Y. Supreme Court Justice Peter J. Schmuck. Plaintiffs are seeking to prove that the Fox film, "Young Mr. Lincoln," infringes upon the Sherwood play, "Abe Lincoln in Illinois." Trial continues today with the reading of testimony of Darryl F. Zanuck.

'Gulliver' Hits Big $18,700, Loop Leader

CHICAGO, Jan. 3.—"Gulliver's Travels" at the Roosevelt grossed a strong $18,700. The weather was cold and fair most of the week.

Estimated takings for the week [illegible]ing Dec. 27-30:

"Mr. Smith Goes to Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 7th week. Gross: $5,500. (Average, $6,000)
"Four Wives" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $35,700. (Average, $32,000)
"Barricade" (20th-Fox)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $5,000. (Average, $5,000)
"20,000 Men a Year" (20th-Fox)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,800. (Average, $13,000)
"Destry Rides Again" (Univ.)
"Dr. Christian" (20th-Fox)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $12,600
"Gulliver's Travels" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $18,700. (Average, $11,000)
"Thunder Afloat" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $15,200. (Average, $12,000)
"After the Thin Man" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $17,700. (Average, $14,000)

Combat Neely Bill, 400 Urged at Rally

(*Continued from page 1*)

mil, Stanley Lawton, Marice Brown and Ray Rhonheimer.

Among those present were C. C. Moskowitz and Harry Moskowitz of Loew's; John J. O'Connor, L. E. Thompson, H. M. Richey, Leon Bamberger and Harry Mandell of RKO; Austin C. Keough, Paramount counsel; Spyros Skouras and William Powers of National Theatres; W. C. Michel, 20th Century-Fox executive vice-president; Ralph Poucher, Consolidated Film Industries; David Palfreyman, Hays office; Grover Schaefer, Republic; Carl Leserman and Roy T. Haines, Warners; Hal Hode, Columbia; George Skouras, Walter Reade, Samuel Rinzler, Laurence Bolognino, Thomas Lamb, Leo Brecher, Abe Leff, I. Perse and Edward Peskay.

Neely Visions Prompt Action on His Bill

WASHINGTON, Jan. 3.—Strong hope that the House of Representatives would act promptly on his block booking legislation was expressed at the opening of Congress today by Senator Matthew M. Neely of West Virginia.

The Senator pointed out that the measure has already been passed by the Senate and needs only House concurrence to become a law. He said that he expected to receive definite information within a few days regarding the action which will be taken by the House Interstate and Foreign Commerce Committee, now in charge of the legislation.

In House circles it was said that several days will probably elapse before the Committee develops its program. Indications were that unless considerable agitation arises the film bill will be taken up when reached in the regular order rather than be made the subject of immediate consideration.

SWANEE RIVER

All-time record, topping even "Alexander's Band."

RICHMOND

SWANEE RIVER

Greatest gross in a year and a half!

PHILADELPHIA

SWANEE RIVER

Topping "Rains Came," "Drums Along the Mohawk."

BALTIMORE

SWANEE RIVER

Beats everything since "Jesse James."

INDIANAPOLIS

SWANEE RIVER

Out-grosses "Rains Came," "Drums Along the Mohawk."

DETROIT

SWANEE RIVER

Biggest of all 20th hits for a solid year!

CINCINNATI

SWANEE RIVER

Breaks every opening day and week-end record in Roxy history!

NEW YORK

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

'Wife', Davis Draw $12,000, Minneapolis

MINNEAPOLIS, Jan. 3.—Best business in Minneapolis was done by the combination of "Day-Time Wife" and Johnnie Davis in person at the Minnesota with $12,000. "Gulliver's Travels" drew a handsome $9,000 at the State.

In St. Paul, top grosser was "Another Thin Man," with $4,500 at the Paramount.

Estimated takings for the week ending Dec. 28:

Minneapolis:

"Bad Little Angel" (M-G-M)
"Law of the Pampas" (Para.)
ASTER—(900) (15c-25c) 6 days. Gross: $1,300. (Average, 7 days, $1,500)
"Remember" (M-G-M)
CENTURY—(1,600) (25c-40c) 7 days. Gross: $2,700. (Average, $4,000)
"My Man Godfrey" (Para.)
"Rasputin" (foreign)
ESQUIRE—(290) (25c-40c) "Godfrey," 4 days, "Rasputin," 3 days. Gross: $1,400. (Average, $700)
"Alleghany Uprising" (RKO)
GOPHER—(990) (25c) 7 days. Gross: $2,700. (Average, $2,500)
"Money to Burn" (Rep.)
MINNESOTA—(4,300) (20c-40c) 7 days. Charles Butterworth on stage. Gross: $6,000. (Average, $6,000)
"Day-Time Wife" (20th-Fox)
ORPHEUM—(2,900) (25c-40c) 7 days. Johnnie Davis. Gross: $12,000. (Average, with stage, $4,400)
"Gulliver's Travels" (Para.)
STATE—(2,300) (25c-40c) 7 days. Gross: $9,000. (Average, $4,000)
"Our Neighbors—The Carters" (Para.)
WORLD—(400) (25c-55c) 3rd week. Gross: $1,600. (Average, $1,600)

St. Paul:

"Everything Happens at Night" (20th-Fox)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $3,000. (Average, $3,200)
"Another Thin Man" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,500. (Average, $4,400)
"Barricade" (20th-Fox)
RIVIERA—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,800)
"Law of the Pampas" (Para.)
"Heaven With a Barbed Wire Fence" (20th-Fox)
TOWER—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,600)
"The Under-Pup" (Univ.)
WORLD—(400) (25c-40c) 7 days, 2nd week. Gross: $900. (Average, $700)

'Love' Montreal's Best with $10,800

MONTREAL, Jan. 3.—"First Love" grossed $10,800 at Loew's. "We are Not Alone" took $7,500 at the Palace.

Estimated takings for the week ending Dec. 30:

"The Secret of Dr. Kildare" (M-G-M)
"Henry Goes Arizona" (M-G-M)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $6,400. (Average, $8,000)
"First Love" (Univ.)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $10,800. (Average, $8,000)
"Of Mice and Men" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $5,000)
"We Are Not Alone" (W. B.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,500. (Average, $10,000)
"On Dress Parade" (W. B.)
"The Covered Trailer" (Rep.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $4,500. (Average, $6,000)

Canada Plans Fair Films

TORONTO, Jan. 3.—The Canadian Government has announced that a new feature of the Dominion exhibit at the 1940 New York World's Fair will be the presentation of Canadian films, to be prepared by the newly-formed National Film Board of Canada, of which John Grierson is acting commissioner.

Hollywood Review

"Invisible Stripes"

(Warners)

HOLLYWOOD, Jan. 3.—Warners' reputation for crime and gangster pictures suffers not by "Invisible Stripes," top roles which are played by George Raft, Jane Bryan, William Holden and Humphrey Bogart. Taken from the book of the same name by Warden Lewis E. Lawes, the film bristles with gunfire, armed robbery, sirens and murder, and contains a preachment against society's refusal to accept a felon who has paid his penalty in prison.

Raft as the regenerated convict; Holden, of "Golden Boy" fame, as his brother; Bogart, as the ex-convict still bitter against society, and Miss Bryan, of recent sterling characterizations, are the chief figures in the melodrama, which ends with Raft giving his life so that Holden and his bride may find happiness. Their happiness, however, is apparently financed by the gains of criminal activities to which Raft returns after failing to find honest employment.

The screenplay by Warren Duff, who adapted a story by Jonathan Finn based on Lawes' book, is a tightly packed chain of events leading to a rousing climax. Director Lloyd Bacon guided the Louis F. Edelman production with a firm hand. Hal B. Wallis was executive producer.

Running time, 80 minutes. "A."*

VANCE KING

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*"A" denotes adult classification.

'Hunchback' Starts Big in Providence

PROVIDENCE, Jan. 3. — Outstanding feature was "The Hunchback of Notre Dame" which took $8,300 during the first three days of its run at the RKO-Albee.

Estimated takings for the week ending Dec. 26-28:

"Meet Dr. Christian" (RKO) (4 days)
"Sued for Libel." (RKO) (4 days)
"The Hunchback of Notre Dame" (RKO) (3 days)
RKO-ALBEE—(2,239) (25c-35c-50c). Gross: $9,500. (Average, $6,000)
"Judge Hardy and Son" (M-G-M)
"Fugitive at Large" (Col.)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $11,000. (Average, $11,000)
"Destry Rides Again" (Univ.)
"Laugh It Off" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $7,000)
"Scarface" (U. A.) (3 days)
"Sky Devils" (U. A.) (3 days)
"Gulliver's Travels" (Para.) (4 days)
"Main Street Lawyer" (Rep.) (4 days)
STRAND — (2,100) (25c-35c-50c). Split week. Revivals first half. Gross: $7,700. (Average, $6,000)
"High School" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Jack Dell Trio; Julio San and Seal; Shirley La Valle; Fred Pisano; Lewis and Ames; and Foster and Bati. Gross: $5,000. (Average, $6,500)
"On Dress Parade" (W. B.)
"Missing Evidence" (Univ.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $1,500. (Average, $3,500)
"The Cat and Canary" (Para.) (3 days)
"The Honeymoon's Over" (20th-Fox) (3 days)
"First Love" (Univ.) (4 days)
"Allegheny Uprising" (RKO) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,350. (Average, $1,700)

Heads Superior Union

SUPERIOR, Wis., Jan. 3.—William Fiandt has been elected president of Local No. 457 of the Operators and Stagehands union. Other officers are: Obert Quam, vice-president; Ralph Pink, financial secretary and treasurer; Erving Austin, business representative; Walter Jeffery, sergeant-at-arms, and Quam, Jeffery and Russell Nelson, trustees.

Theatre Pays Dividend

ST. LOUIS, Jan. 3.—Directors of the Fox-St. Louis Theatre Co. have paid a 50-cent dividend on preferred stock.

'Wind' Tremendous $22,500, Cincinnati

CINCINNATI, Jan. 3.—"Gone With the Wind" in its first week at the RKO Capitol did a terrific $22,500 at advanced prices.

Estimated takings for the week ending Dec. 27-30:

"Judge Hardy and Son" (M-G-M)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $13,000. (Average, $12,000)
"Destry Rides Again" (Univ.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $11,500. (Average, $10,000)
"We Are Not Alone" (W. B.)
RKO SHUBERT—(2,150) (35c-42c) 7 days, 2nd week. Gross: $3,400. (Average, $10,000)
"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1.00-$1.50) 7 days. Gross: $22,500. (Average, at 35c-42c scale, $6,500)
"South of the Border" (Republic)
"Beware Spooks" (Col.)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $4,600. (Average, $5,000)
"Pride of the Blue Grass" (W. B.)
"Black Limelight" (Alliance)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,400. (Average, $1,500)
"The Phantom Strikes" (Mono.)
"Riders of the Pasco Basin" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $800. (Average, $900)
"The Return of Dr. X" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $3,400. (Average, $6,000)

'Gulliver' at $5,500 Milwaukee Leader

MILWAUKEE, Jan. 3. — "Gulliver's Travels" and "Our Neighbors, the Carters" connected for $5,500 at Fox's Palace in a week which got off to a sluggish start but perked up toward the end.

Estimated takings for the week ending Dec. 28.

"Gulliver's Travels" (Para.)
"Our Neighbors, the Carters" (Para.)
PALACE—(2,400) (25c-35c-50c), 7 days. Gross: $5,500. (Average, $4,000)
"The Big Guy" (Univ.)
RIVERSIDE — (25c-30c-35c), 7 days. Stage: "Xmas Follies." Gross, $6,500. (Average, $6,500)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
STRAND—(1,400) (25c-35c-50c), 7 days. Gross: $1,500. (Average, $1,500)
"Four Wives" (W.B.)
"Charlie McCarthy, Detective" (Univ.)
WARNER—(2,400) (25c-35c-50c), 7 days. Gross: $5,300. (Average, $4,500)
"Everything Happens at Night" (20th-Fox)
"The Cisco Kid and the Lady" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c), 7 days. Gross: $6,200. (Average, $5,500)

'Raffles' Pulls Good $12,000, Leads Frisco

SAN FRANCISCO, Jan. 3.—"Raffles" drew a strong $12,000 at the United Artists.

Estimated takings for the week ending Dec. 26-29:

"The Flying Deuces" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,000. (Average, $15,000)
"First Love" (Univ.)
"Beware Spooks" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 3rd week. Gross: $6,400. (Average, $8,000)
"Judge Hardy and Son" (M-G-M)
"City in Darkness" (20th-Fox)
FOX—(5,000) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $11,000. (Average, $16,000)
"Gulliver's Travels" (Para.)
"Our Neighbors, the Carters" (Para.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $15,000. (Average, $11,500)
"Raffles" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $8,000)
"Tower of London" (Univ.)
"Laugh It Off" (Univ.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)
"Everything Happens at Night" (20th-Fox)
"Cisco Kid and the Lady" (20th-Fox)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $12,000)
"The End of a Day" (Juno)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,100. (Average, $1,000)
"Scipione L'Africano" (Foreign)
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $1,400. (Average, $1,000)

Kansas City Gives 'Gulliver' $9,000

KANSAS CITY, Jan. 3.—"Gulliver's Travels" collected a good $9,000 at the Newman.

Estimated takings for the week ending Dec. 24-28:.

"Everything Happens at Night" (20th-Fox)
ESQUIRE—(800) (25c-40c) 8 days. Gross: $3,700. (Average, 8 days, $2,800)
"Judge Hardy and Son" (M-G-M)
"Blondie Brings Up Baby" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $12,800. (Average, $10,500)
"Gulliver's Travels" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $9,000. (Average, $7,000)
"Return of Dr. X" (W. B.)
"Reno" (RKO)
ORPHEUM — (1,500) (25c-40c) 6 days. Gross: $2,100. (Average, 6 days, $4,400)
"The Big Guy" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Kiddie Review; Will Rock's Thurston Magic Show. Gross: $5,200. (Average, $5,000)
"Everything Happens at Night" (20th-Fox)
UPTOWN — (2,000) (25c-40c) 8 days. Gross: $4,500. (Average, 8 days, $4,000)

'Four Wives' Omaha Leader with $7,100

OMAHA, Jan. 3. — "Four Wives" took $7,100 in eight days at the Brandeis for the only business in town. Heavy snows kept many patrons at home.

Estimated takings for the week ending Dec. 28-29:

"Four Wives" (W. B.)
"Smashing the Money Ring" (W. B.)
BRANDEIS—(1,200) (25c-35c-40c) 8 days. Gross: $7,100). (Average, $4,000)
"Ninotchka" (M-G-M)
"City In Darkness" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)
"Everything Happens at Night" (20th-Fox)
"All Women Have Secrets" (Para.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,100. (Average, $7,600)
"Gulliver's Travels" (Para.)
"What A Life" (Para.)
PARAMOUNT—(3,000) (25c-40c) 7 days. Gross: $6,800. (Average, $7,000)

RESPONSIBLE LEADERSHIP

EASTMAN'S negative films—*Plus-X, Super-XX, Background-X*—have special features that more than meet every contingency. This ability is backed up by unmatched photographic quality and unvarying uniformity, the vital factors in Eastman leadership for over fifty years. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

U A Releasing Deal Obtained By Roosevelt

(Continued from page 1)

way, the guiding spirit behind his pictures. To his new associates Roosevelt symbolizes a fine maturity. He has a clarity of vision and a sympathetic understanding of the public, giving him an unusual competence to create entertainment for our vast theatre audience. Widely travelled, a sharp, analytical student of motion picture problems, Roosevelt also possesses the magnetic personality and executive ability to master quickly the complexity of advanced motion picture production."

Plenty of Studio Space

It was stated that the Goldwyn and Walter Wanger studio facilities and technical staffs will be placed at Roosevelt's disposal. Wanger also uses the Goldwyn studio.

David O. Selznick congratulated Roosevelt on his association with United Artists in a message urging him to "call on us if Selznick International or I can be of any help to you whatever."

Henry Henigson, former production executive for Universal and M-G-M, is vice president and an associate producer for the Roosevelt company, and J. F. T. O'Connor, former U. S. Comptroller of the Currency, is a corporation director and counsel.

'Storm in Paradise' too

Roosevelt's second production probably will be "Storm in Paradise," which he acquired recently. He is negotiating for two other story properties at this time.

Roosevelt sent the following message to Silverstone, in which he outlines his production aims:

"I am highly elated over my acceptance into such an organization as United Artists. . . . I am extremely grateful to Samuel Goldwyn who has so sympathetically guided my first work and intensive study of the motion picture business, and now that I am able to become an independent producer, financing and creating my own pictures, I am most eager to begin what I most earnestly want to make my life's work.

Emphasizes 'Play's the Thing'

"I hope to develop pictures that will provide a fresh and modern method of entertaining. I wholeheartedly subscribe to Shakespeare's belief that the 'play's the thing,' and our organization will not place limitations of either time or expense upon our efforts properly to picturize story material we consider timely and universally appealing.

"It is my intention to surround myself with the most competent and alert technical aides I can find with the strict instruction that in addition to making our pictures with technical efficiency, we must create artistic, important, intelligent and distinctive entertainment for the many millions comprising our audience. You have my deepest appreciation of your consideration and experienced counsel, and my assurance that our energies will be concentrated on winning recognition through delivering product of the highest United Artists standard."

Classical Music, Comedy Hold Most Radio Appeal

Classical music, semi-classical music, news broadcasts and dramatic programs are preferred by radio listeners in the upper brackets while comedy and daily serials are preferred by those in the lowest income groups, according to a survey by H. W. Beville, Jr., NBC research manager, for the Princeton Radio Research Project.

The survey discusses general listening habits, program analysis by income groups, effect of competition on audiences, and the effect of competition on different income groups. It was based on the Crossley and Hooper reports.

Radio is most popular with the group with incomes from $2,000-$3,000, the survey finds. Income groups were divided into four classes. Over $5,000 into Class A; $3,000-$5,000, Class B; $2,000-$3,000, Class C; and under $2,000, Class D.

Class A uses its sets least, particularly in the daytime.

On a geographic basis, it was found that the Pacific Coast uses sets most while the South uses sets the least. In the East, set use is slightly below average except between 8 P. M. and midnight. The Midwest listens to more daytime programs, but set use drops after 5 P. M.

Classes C and D prefer comedy and dramatic broadcasts. Little attention is paid to news broadcasts or classical or semi-classical music. Class C, however, listens somewhat to educational programs.

A program's popularity reacts to five influences, the report said. These five are change of talent in a competitive program, the start of a new competitive program, the ending of an old competitive program, and the change of competition by moving a program to another period.

As an example of the first influence the report cited the rise of the Ford Symphony Hour from a rating of 16 to 26½ while George Fisher was substituting for Walter Winchell on an opposition program.

The Jergens program which lost 50 per cent of its audience regained it upon the return of Winchell, while the Ford show returned to its former place, according to the report.

Combining its income analysis with the competition survey, the report draws two conclusions. The first is that both program popularity and income group breakdowns must be studied from the standpoint of the competition. The second is that to obtain accurate data on the relative appeal by income groups, it is necessary to spot individual programs opposite other programs of various types.

Arnold Asks More Anti-Trust Probers

WASHINGTON, Jan. 3.—Most pressing need of the anti-trust division of the Department of Justice is increased personnel, it was disclosed today by the annual report of Assistant Attorney General Thurman Arnold, in charge of monopoly prosecutions.

During the fiscal year ended June 30, last, Arnold reported, a total of 1,375 complaints were received, an increase of 452 over the preceding year, leading to the initiation of 90 extensive investigations. In addition, the anti-trust division also was engaged in conducting 700 investigations and studies of allegedly monopolistic situations, and at the present time 200 investigations of major importance are in progress.

Arnold's report was devoid of comment on the motion picture or other major individual suits and was devoted largely to an exposition of his views as to how the problem of monopoly should be approached.

"The year 1940 marks the fiftieth anniversary of the Sherman Act," he pointed out. "At no time in its long history has there been such interest in the act nor such consistent pressure for its enforcement. The pressure comes not from any political group, but from independent business men and consumers all over the country and from leaders of both parties. It is particularly noticeable in the medium metropolis whose industries are beginning to feel the effects of absentee ownership. It also comes from consumers, home builders, small retailers and farmers who are forced to pay tribute to organizations which have seized strategic positions in the distribution system and who are thus able to block the channels of commerce."

Gittinger Elected CBS Sales Chief

William C. Gittinger was elected vice-president in charge of sales by the CBS board of directors yesterday. Gittinger has been with the network for six years, the last five years as sales manager. He has been active in the development of sales policies and they will continue under his direction.

Prior to 1933, he was an advertising executive over a period of 20 years. He was previously associated with Tidewater Associated Oil Co., the Joseph Richards agency, and Vacuum Oil Co.

Albany Bill Seeks Legalized Lottery

ALBANY, Jan. 3.—Claiming that taxpayers are on the brink of a levy revolution and striking at the "hypocrisy of outlawing lotteries" while they are being conducted daily in many forms, State Senator Phelps Phelps, Manhattan Democrat, introduced a bill designed to legalize lotteries in the legislature today.

Senator Phelps introduced a similar bill last year which was defeated by more than two to one in the Senate. Phelps also was co-sponsor of the Crews bill, intended to effectuate the "two men in a booth" principle of the I.A.T.S.E.

Italian Film to Open

The American premiere of Luis Trenker's new Italian film, "Giovanni De Medici, the Leader," will take place at the Cinecitta Theatre today.

Radio Brevities

LADY ESTHER CO. renewed the Guy Lombardo show over 50 CBS stations for an additional 52 weeks yesterday. The program is heard Mondays at 10 P. M. Lombardo's show for the same sponsor on Friday nights over NBC-Red is due to be dropped on Jan. 26.

◆

A poll of 12 film critics heard on Metropolitan stations by Martin Weldon, WINS stage and screen commentator, was won by "Gone With the Wind" as the best film with "Mr. Smith Goes to Washington" in second place.

◆

Bayer Aspirin renewed the "American Album of Familar Music" yesterday for an additional 52 weeks, effective Feb. 4, over NBC-Red. The program is heard over 60 stations on Sundays at 9:30 P. M.

◆

Mutual added another station yesterday, bringing the total up to 126; KTSW, Emporia, which opened Jan. 25, 1939, is the latest affiliate. Owned by the Emporia Brodacasting Co., the station operates full time on 1,370 k.c. with 250 watts.

◆

Ralph Patt, general manager of WPAY, Portsmouth, has married Bertie Champeau, of Detroit.

◆

Arthur Kurlan, who formerly handled "New York Town" for WOR and "Gotham Nights" for WHN, has been signed by Young & Rubicam to do the adaptation of Robert Sherwood's "Petrified Forest" for this Sunday's Gulf Oil "Screen Guild Theatre." Tyrone Power, Joan Bennett and Humphrey Bogart will be heard in the dramatization.

◆

Spencer Tracy and Bette Davis will appear together for the first time Monday on the Lux "Radio Theatre" in "Dark Victory," to be heard over CBS at 9 P. M.

◆

WNEW has signed four sponsors for participations and spot announcements. They include the Motor Boat Show, Personal Diathermy, I. J. Fox and Thomas J. Lipton, Inc.

◆

Fred Allen yesterday started his seventh year on NBC for the same sponsor, Sal Hepatica and Ipana.

Congress to Get Copyright Ideas

Proposals for new copyright legislation drafted by the Shotwell committee with the aid of all industries concerned with copyright ownership and use were forwarded to Washington early this week in time for the opening of Congress yesterday.

The new proposals will be introduced in the Senate by Senator Bone of Washington, chairman of the Senate patents committee, and in the House by the new chairman of the House patents committee. Chairmanship of the latter committee has been vacant since the recent death of William I. Sirovich.

Although committee hearings on the proposals are expected within a month or two, final action by Congress is not expected at this session.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 4 NEW YORK, U. S. A., FRIDAY, JANUARY 5, 1940 TEN CENTS

British Trade To Have Film Credits Bank

Cash from Government Looms as Certainty

LONDON, Jan. 4.—Formation of a Film Credits Bank, backed by British Treasury money, and without the participation of London's financial houses, was authoritatively forecast here today, following the meeting of the Films Council.

A drastic measure to bolster the faltering British production industry, the Treasury investment will be considerable, and the control of the Bank will be vested in a joint committee.

With Government representatives forming a majority of its personnel, the committee will include financial experts and representatives of the Board of Trade and the industry.

Joint stock banks may ultimately participate in the plan on a loan basis. The object of the Bank will be to provide a solid financial foundation for the British industry with the Board of Trade or Films Council as the ultimate arbiter on loans.

The Films Council committee, meanwhile, is pressing for legislation to be ready as an alternative immediately after cessation of the present quota stipulations on March 31.

Monogram to Stage 5-Week Sales Drive

Monogram will hold a five-week playdate drive, from Feb. 25 to March 30, according to George W. Weeks, general sales manager. The campaign will use the slogan, "March for Monogram." Competition among Monogram's 30 exchanges in the United States has already started for the three money prizes which will be awarded.

Monogram franchise holders will meet at the Blackstone Hotel in Chicago tomorrow and Sunday to discuss plans for the drive. Attending from the home office will be W. Ray Johnston, president; Edward A. Golden, distribution vice-president, and George W. Weeks, general sales manager. From the studio will be Scott R. Dunlap, vice-president in charge of production, and Trem Carr, producer.

Franchise holders will include Steve Broidy, Ben Welansky, Harry Thomas, Harry Berkson, John Mangham, William Onie, Nate Schultz, William

(*Continued on page 2*)

RFC Denies Loan To Grand National; Crisis Due Today

The Reconstruction Finance Corp. has denied Educational's application for a $450,000 loan, which had been earmarked for the financial reorganization of Grand National Pictures.

Earle W. Hammons, Educational-Grand National president, is negotiating with private financial interests for funds to post as a bond to cover potential Grand National operating losses over a period of a few weeks during which negotiations for the principal loan will be renewed.

The bond must be posted or new financing obtained by this afternoon in order to forestall liquidation of Grand National's assets. A hearing before Peter B. Olney, Jr., referee in bankruptcy, is scheduled for this afternoon.

Grand National has been operating at a loss of approximately $4,000 weekly. Referee Olney directed the

(*Continued on page 2*)

UA Stock Omitted In Fairbanks' Will

The will of the late Douglas Fairbanks will be admitted to probate in Surrogate's court here this morning.

No mention is made in the will of Fairbanks' one-fifth stock interest in United Artists. The stock is held by the Elton Corp., of which Robert Fairbanks, the deceased's brother, is president. Fairbanks' share of the in-

(*Continued on page 3*)

Parley Continues On Trust Queries

Special Assistant Attorney General Paul Williams stated yesterday that "considerable progress" had been made in reaching an agreement on interrogatories interposed by the major defendants in the Government's anti-trust suit, after a conference with the majors' attorneys. Discussions will continue today.

Chicago and Detroit Fight 'Wind' Terms; M-G-M Defends 70%

M-G-M will make no exceptions in its policy of selling "Gone With the Wind," and if regular accounts reject the terms the picture will be sold to opposition theatres, distribution officials said yesterday.

This is emphasized in controversies on terms in both Chicago and Detroit.

It was learned the reason Balaban and Katz and M-G-M failed to agree on a deal for the picture in Chicago was that the circuit refused to reduce the house expenses figured in M-G-M's profit guarantee of 10 per cent of the boxoffice gross.

M-G-M offered B. & K. an alternative deal of 70-30 per cent without a profit guarantee, which the circuit rejected. As a result "Gone With the Wind" has been sold to the Oriental, Jones, Linick & Schaeffer house,

(*Continued on page 3*)

Tickets Net 20 Million Tax; U.S. Expands Film Service

WASHINGTON, Jan. 4.—Improved economic conditions have resulted in the Treasury revising its estimates of tax collections upward, with the Federal admission tax now figured as returning $20,500,000 for the current year, which ends June 30, next, as compared with $19,200,000 calculated a year ago, it was disclosed today in the annual budget submitted to Congress by President Roosevelt.

On the basis of existing conditions, it was estimated that for the fiscal year 1941 this tax would return a revenue of $21,600,000.

If the current estimate for the present year is met, collections will be more than $1,000,000 above the $19,470,801 collected for the last fiscal year and but $300,000 below the $20,800,779 collected by the U. S. in 1938.

The budget disclosed that the long-planned centralized film service, which the defunct National Emergency Council sought to establish, will be put into operation July 1, next, with a proposed appropriation of $106,400, by the Office of Education, now a part of the Federal Security Agency, to which the film and radio activities of the N.E.C. were transferred under the President's reorganization program.

The Office of Education is to get $40,000 for radio service, as compared with $20,000 allocated to the N.E.C. for that work for the current year, before the transfer.

The proposed film service is to act as a clearing house for all Govern-

(*Continued on page 7*)

Court Defends Sales Methods, Kills Trust Suit

Big Victory for Majors In Baltimore Ruling

BALTIMORE, Jan. 4.—Holding that clearance and run are necessary to the operation of the film industry, and that they are perfectly lawful practices, Federal Judge Chesnut here today in a decision dismissed the bill of complaint in the anti-trust action brought by Westway Theatres Corp. against the Durkee circuit and seven major distributors.

In his 17-page opinion, the judge declared that no conspiracy existed among the co-defendants, and that the distributors have a right to select their own customers. The plaintiff corporation, operating the Westway Theatre here, had charged that the 14 days' clearance given to the Dudkee circuit, which operates a competing house, is illegal, and that the defendants had conspired to deprive the Westway of product.

The seven major company defendants were Columbia, M-G-M, Paramount, 20th Century-Fox, Universal, United Artists and Warners. RKO, which sold to the Westway, was not a defendant. The trial started on Dec. 7 and ended Dec. 15. The defendants were represented here by James Piper, Edward Raftery and John Caskey.

Cartoons by Disney Win Poll on Shorts

The Walt Disney cartoons, distributed by RKO, were voted the leading attractions at the box-office among short subjects, by independent exhibitors, according to a poll taken for *Fame* by *Motion Picture Herald*.

The 10 leading short subject series in the voting were as follows:

1. **Walt Disney cartoons.**
2. **Merrie Melodies.**
3. **Broadway Brevities.**
4. **Pete Smith Specialties.**
5. **Our Gang Comedies.**
6. **M-G-M cartoons.**
7. **Melody Masters**
8. **Terry-Toons.**
9. **M-G-M Miniatures.**
10. **FitzPatrick Travel Talks.**

M-G-M accounts for five of the leaders: the Pete Smith subjects, Our Gang comedies, M-G-M cartoons,

(*Continued on page 2*)

GN is Denied Loan by RFC; Crisis Today

(Continued from page 1)

management yesterday to obtain bond to post to cover the indicated losses during a further postponement of the court proceedings, or liquidation would be ordered today.

Seeks Distribution Deals

Hammons is also endeavoring to obtain product for immediate distribution by Grand National to offset the potential operating losses and has been promised assistance in this by J. T. Cosman of Producers Laboratories, who informed Olney yesterday that he had several productions he was willing to turn over to Grand National for distribution if a further postponement is granted.

Definite prospects of a product supply might induce creditors to vote for a further adjournment of the proceedings without bond, it was suggested in some creditor circles.

Will Renew Fight For Loan

If bond is obtained, or a new adjournment won otherwise, it was stated that Hammons would renew negotiations with the R. F. C. for the $450,000 loan and, concurrently, would begin immediate negotiations with independent producers for a product supply. Company officials believe an adjournmnet of four or five weeks is needed.

The R.F.C.'s action in refusing the loan was attributed by Grand National officials to representations made by small creditors of the company that Grand National had no prospects of getting product on short notice to offset current operating losses.

Monogram to Stage 5-Week Sales Drive

(Continued from page 1)

Hurlbut, Henri Elman, Charles Weiner, Charles Trampe, F. E. Judd, Sol Francis, Lon Fidler, Howard Stubbins, Carr Scott, George West, John Franconi and Ed Blumenthal.

Dunlap and Carr will come to New York for the quarterly directors meeting here Tuesday. On their return, they will be accompanied by Johnston, who is expected to spend two months at the studio.

The drive will coincide with the release of important features on the Monogram schedule. Among these are Boris Karloff in "The Fatal Hour," "The Secret Four," Edgar Wallace story; "Chasing Trouble" with Frankie Darro; Bela Lugosi in "The Crime of Dr. Orloff," "Son of the Navy," "Tomboy" and "Hidden Enemy."

Delay RKO Allowances

Applications of the Chemical Bank & Trust Co. for an allowance of $34,375, and its attorneys, Wright, Gordon, Zachry & Parlin for $22,500 for services in RKO proceedings must await final action on allowances under a decision of Federal Judge Bondy handed down yesterday. The Chemical Bank & Trust Co. is trustee of RKO six per cent gold notes.

Purely Personal

DAVID ROSE, managing director of all Paramount's activities in Great Britain, leaves Hollywood today en route to his London headquarters.

•

William F. Rodgers, **John Hicks**, **Russell Holman**, **Erno Rapee**, **Max A. Cohen**, **Ted O'Shea**, **Maurice Evans**, **George Skouras**, **William Orr** and **Jack Pearl** at Nick's Hunting Room in the Astor for lunch yesterday.

•

Charles Roberts, Columbia home office supervisor for Latin America, returned to New York from Mexico yesterday by plane after a tour of the company's offices in his territory and attendance at a sales meeting in Buenos Aires.

•

Cresson E. Smith, Western and Southern sales manager for RKO, will leave over the weekend for a tour of branches in Denver, Salt Lake City, Portland, Seattle, San Francisco and Los Angeles.

•

Harry Buxbaum, **Phil Baker**, **Ben Boyar**, **Sidney Phillips**, **David Burns**, **John Golden** and **Nat Karson** at Sardi's for lunch yesterday.

•

John Caskey of Dwight, Koegle & Caskey, and **Edward C. Raftery** of O'Brien, Driscoll & Raftery returned to New York last night from Baltimore.

•

Walter Huston arrived yesterday afternoon by plane from Hollywood to start rehearsals for a Broadway stage role.

•

Herman Wobber, 20th Century-Fox distribution head, arrived last night from the Coast via United Airlines.

•

I. Goldsmith, British producer, arrives from Europe Jan. 13 on the *Rex*.

HERMAN ROBBINS, National Screen president, is back from Miami.

•

Leon Netter, **Austin C. Keough**, **Oscar A. Doob**, **Carl Leserman**, **Joseph R. Vogel**, **John Murphy**, **Ben Joel**, **Art Schmidt**, **Joe Levy** and **Larry Beatus** lunched at Dinty Moore's yesterday.

•

Ernest Emerling of Loew's advertising and publicity department, has returned from New Haven where he met with Loew's-Poli New England managers.

•

Frederick G. Rippingdale, office manager at M-G-M's Washington exchange, and **Blanche Hall** of that office celebrate their birthdays tomorrow.

•

Robert Smeltzer, central district manager for Warners, was in town yesterday conferring with **Roy Haines**, Eastern and Canadian sales manager.

•

John A. Schwalm, manager of the Northio Rialto, at Hamilton, O., has left for an extended stay in Florida on account of his health.

•

William F. Rodgers, M-G-M general sales manager, leaves tonight for Florida.

•

Judy Garland and her mother are en route to New York from the Coast via Chicago and Milwaukee stopovers.

•

James Cagney will leave Hollywood for New York the latter part of next week.

•

Errol Flynn left Hollywood yesterday for a two-week vacation at Boca Raton, Fla.

•

Eugene Picker of Loew's and his family left for Florida yesterday.

E. L. Morrison Dies; Ex-Official for Para.

ATLANTA, Ga., Jan. 4.—Ernest L. Morrison, 46, widely known theatre executive, formerly Southern district manager for Paramount, died in Decatur today. Burial will be there tomorrow.

He had been inactive recently due to ill health, but formerly worked in and out of Dallas, New Orleans, Atlanta, Savannah and Miami. Surviving are wife, daughter, two brothers and two sisters.

'U' Official's Wife Dies

Funeral services were held yesterday for Gussie Machnovitch, wife of Samuel Machnovitch, treasurer of Universal. Mrs. Machnovitch died Wednesday night following an operation performed about a month ago. Her husband and three daughters, Stella, Rae and Mrs. Harold Rubin, survive.

Circuit Pays Dividends

LOUISVILLE, Ky., Jan. 4.—Stockholders of the Fourth Avenue Amusement Co. received a divided of 75 cents a share, the first paid in nine years. The company operates a circuit in Kentucky and Indiana.

Cartoons by Disney Win Poll on Shorts

(Continued from page 1)

M-G-M Miniatures and FitzPatrick travelogues. Warners have three: Merrie Melodies, Broadway Brevities and Melody Masters. RKO and 20th Century-Fox, the latter with Terry-Toons, each have one.

The second 10 includes the following: (11) Crime Doesn't Pay series, M-G-M; (12) Grantland Rice Sportlights, Paramount; (13) Paramount Headliners; (14) Three Stooge Comedies, Columbia; (15) March of Time, RKO; (16) Looney Tunes, Warners; (17) M-G-M Musical Comedies; (18) Popeye the Sailor, Paramount; (19) Vitaphone Varieties, Warners; (20) Your True Adventure, Warners.

A separate classification of serials resulted in the first award going to "The Spider's Web," Columbia serial, as the biggest money-maker for the period from Oct. 1, 1938 to Nov. 1, 1939.

The complete tally of the 20 leading groups places M-G-M first with seven, followed by Warners, six; Paramount, three; RKO, two; Columbia and 20th Century-Fox, one each.

Newsreel Parade.

Highlighting the new issues of the newsreels is President Roosevelt's address before the opening session of Congress. Annual Bowl football games are prominent in the reels.

MOVIETONE NEWS, No. 34—President opens Congress. Launch miniature sea-planes in Miami. Mummer's Day parade in Philadelphia. Machine gun practice in California. Edison takes office as Secretary of Navy. Al Smith celebrates birthday. Senator Taft is candidate for Presidential nomination. Lew Lehr. Sugar Bowl game. Skiing at Mt. Hood.

NEWS OF THE DAY, No. 232—President's address before Congress. Hotel fire in Minneapolis. Ski jumping in Oregon. Rose, Sugar, Orange Bowl football games.

PARAMOUNT NEWS, No. 37—Roosevelt's speech opens Congress session. Orange, Cotton, Rose Bowl games.

RKO PATHE NEWS, No. 49—Roosevelt addresses Congress. Raze Soviet building at World's Fair. Charles Edison sworn in as Navy Secretary. Sugar and Orange Bowl football games.

UNIVERSAL NEWSREEL, No. 838—President's annual message to Congress. Garner visits Roosevelt. Edison is new Secretary of Navy. Hotel fire in Minneapolis. Bathing suit fashions. Mummer's Day parade in Philadelphia. Model seaplane meet in Florida. Orange and Sugar Bowl football games.

Big Grosses Extend Runs on Broadway

Broadway first runs are holding over their current attractions with grosses holding up well.

"Gone With the Wind" at the Astor and the Capitol, and "Gulliver's Travels" at the Paramount are set for indefinite engagements.

"Swanee River," with a stage show, at the Roxy grossed an estimated $70,000 during the first week and will go three or four weeks.

At the Strand, "Four Wives," with Abe Lyman's band on the stage, took an estimated $46,000 for the second week to go ahead of the first week's gross. It continues for a third week.

"The Light That Failed" runs until Jan. 19 at the Rivoli. "The Hunchback of Notre Dame," which ends its first week at the Music Hall tomorrow, also will be held over.

Wyrick Dies at 81

DALLAS, Tex., Jan. 4.—Manfred Wyrick, 81, assistant engineer at the Palace theatre until he suffered a stroke five years ago, is dead.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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70% on 'Wind' Stays; 2 Cities Fight Terms

(*Continued from page 1*)

where it will open Jan. 25. A deal is under way for a second Loop house.

[illegible] situation similar to the one in Chicago has arisen in Detroit where the United Detroit Theatres, also a Paramount affiliate, has failed to agree on the terms, and M-G-M is negotiating to open the picture at the Fox and the Wilson. The Fox is operated by David Idzal for National Theatres (Spyros Skouras).

A profit of at least 10 per cent is guaranteed the exhibitor on extended engagements provided the theatre charges the advanced prices which M-G-M demands and if expenses for the theatre can be agreed upon. The rental is 70 per cent for all theatres.

A factor in the picture being sold away from B. & K. in Chicago was the circuit's objection to tieing up a Loop house for a long run and thus cause a product jam. It is understood B. & K. figured they could make more on other pictures in their Loop houses than on "Gone With the Wind" at the terms and policy which M-G-M insisted upon.

Front Page News

The news-value that has become attached to "Gone With the Wind" is illustrated by the experience of the Loew circuit. Oscar Doob sent wires to all movie critics on the circuit announcing the playdates for the film. Nearly half of the wires resulted in page one announcements in at least 25 of the some 40 cities on the circuit!

M-G-M failed to finalize the deal with the Woods Theatre in Chicago for a two-a-day showing, and another house is being negotiated for. The Woods had been previously announced as one of theatres which will open the picture Jan. 25.

Additional dates set on the picture are the Apollo, Atlantic City, and the Palace, Albany, both opening Jan. 25, three-a-day. On Feb. 2 it will move from the Palace to the Harmanus Bleeker Hall.

Loew circuit district managers yesterday attended a conference with Joseph R. Vogel, operator of out of town theatres, and Oscar A. Doob, advertising and publicity director, on the forthcoming runs of "Gone With the Wind."

Here for the meeting were Harry Long, Cleveland; W. A. Finney, Atlanta; Mike Cullen, Columbus; Carter Barron, Washington; H. M. Addison, Boston, and Harry Shaw, New Haven.

Shaw on Wednesday conducted a meeting at New Haven on forthcoming New England openings. These managers attended: Sam Badamo, New Haven; Joe Samartino, Meriden; Joe Anstead, Worcester; George Freeman, Springfield; Lou Cohen, Hartford; Morris Rosenthal, Bridgeport, and Ed Fitzpatrick, Waterbury.

New York Review

"The Fighting 69th"

(*Warners*)

A dramatic, action-laden and powerful item of screen fare has been woven about the World War story of the 69th New York Regiment, the so-called Irish fighting 69th of song and story.

The story, in effect, has a triple theme—the rejuvenation of a recalcitrant private, who comes through for the regiment at the sacrifice of his life; the noble work of the famed Father Duffy, regimental chaplain, one of the most noted in the A.E.F., and the activity of the regiment itself, in carrying out its old and respected tradition. The three aspects have been skillfully blended, however, into a moving and pulsating unit.

The three star names of top marquee caliber, each doing an exceptionally fine job, are James Cagney as the recruit; Pat O'Brien as Father Duffy, and George Brent as Major "Wild Bill" Donovan. Excellent supporting roles in this woman-less cast are handled by Jeffrey Lynn, Alan Hale, Frank McHugh, Dennis Morgan, Dick Foran, Sammy Cohen.

The direction of William Keighley, from an original screenplay by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin, is always skillful, whether in the handling of fighting scenes in the front line, or the calmer dramatic moments as Cagney fights his battle with his own abject fear.

The 69th is seen at Camp Mills in 1917, with Father Duffy befriending Cagney, troublesome and "tough", and Donovan driving his men. In France, Cagney suddenly turns yellow under fire, and on successive occasions, causes the death of several of his fellow soldiers. Only Duffy saves him from transfer. A final slip results in his sentence to death. An artillery barrage blasts open his jail and Duffy gives him the alternative of escape or joining his comrades in a suicide attack. He chooses the latter, saves the day by operating a gun to cut barbed wire, and is killed saving his sergeant from a grenade explosion.

It is a striking piece of dramatic entertainment. Hal B. Wallis was executive producer.

Running time, 90 minutes. "G."*

CHARLES S. AARONSON

**"G" denotes general classification.*

N.Y. Critics Awards Presented Sunday

The presentation of the annual awards of the New York Film Critics, to be held in the Rainbow Room on Sunday, will be broadcast nationally on an NBC-Blue hookup from 6:30 to 7 P.M.

Kate Cameron, as chairman, will speak first. She will be followed by Mayor LaGuardia, who will make the awards. Samuel Goldwyn, producer of "Wuthering Heights," the winning film, will also be heard before the program is switched to the Coast. From the NBC Hollywood studios, Vivien Leigh will accept the award for the best performance by an actress and James Stewart will accept the actor's award. Stewart will do the bill writing scene from "Mr. Smith Goes to Washington."

A spokesman for John Ford, probably Walter Wanger, will accept the director's award, and he will be followed by William Wyler, director of "Wuthering Heights." A scene from the film, with Merle Oberon, Laurence Olivier, Geraldine Fitzgerald and Flora Robson, will follow, and a studio orchestra will close the program with selections from films produced during 1939.

Fire Empties Theatre

About 900 patrons were forced to leave the RKO Academy of Music late Wednesday night when fire broke out in a restaurant of an adjoining building. Although damage to the restaurant was extensive, the theatre was unharmed.

UA-Goldwyn Fight In Court Next Week

United Artists attorneys will begin preparation today of an application for an injunction to restrain Samuel Goldwyn from entering into a distribution contract with Warners and to restrain the latter company from distributing Goldwyn's picture, "The Westerner."

The application for a temporary injunction will be made in Federal court here next week. Issuance of a permanent injunction, thereafter, will be sought but will be dependent, of course, upon the outcome of arguments on the status of Goldwyn's contract with United Artists.

The law firms of O'Brien, Driscoll & Raftery and Schwartz & Frohlich will work jointly with United Artists on the Goldwyn litigation.

UA Stock Omitted In Fairbanks' Will

(*Continued from page 1*)

come from this corporation will go to the widow.

If the stock is offered for sale it must be offered to United Artists first.

The bulk of the estate is left to the widow and to other members of the family.

To Cut Fair Prices

SAN FRANCISCO, Jan. 4.—Admission for the 1940 Golden Gate International Exposition will be lower than last year. It will be reduced from 50 to 30 cents, and parking slashed from 50 to 25 cents.

SEC Reports Sale of Stock By Bernstein

WASHINGTON, Jan. 4.—Transfer of 7,080 shares of Loew's, Inc., common stock by David Bernstein, treasurer, in partial payment of indebtedness, was the largest single film stock transaction by officers or directors of film corporations reported today in the first November summary of the Securities and Exchange Commission.

The S.E.C. report listed Bernstein as still holding 22,220 shares of Loew's common at the close of the month.

Only a few film stock transactions were carried in the report, which showed the acquisition of 100 Columbia Pictures common voting trust certificates by Abraham Schneider, treasurer, bringing his holdings to 404 certificates, and the acquisition of 20 shares of Keith-Albee-Orpheum seven per cent preferred stock by Leon Goldberg, bringing his holdings to 230 shares.

The summary showed that Loew's, Inc., increased its interest in Loew's Boston Theatres by 104 shares of common during the month, giving it a total of 100,307 shares, and that Samuel Broidy, Monogram director, increased his holdings of common stock by a net acquisition of 700 shares, giving him 1,600 shares held direct and 500 held through Monogram Pictures, Inc., together with 11,129 options for common held direct.

A report on Columbia Broadcasting System showed the disposition by Leon Levy, Philadelphia, by gift, of 127 shares of Class A and 165 shares of Class B stock, reducing his holdings to 37,723 shares of the former and 43,102 shares of the latter, and the disposition, also by gift, of 400 shares of Class B stock by William S. Paley, reducing his holdings to 340,126 shares. Paley was listed also as holding 20,530 shares of Class A stock directly and 87,980 shares through a holding company.

Reports on the holdings of persons becoming officers or directors of registered corporations showed that Joseph R. Vogel, held 100 shares of Loew's, Inc., common stock when becoming a director in that company, and that John J. Burns, New York, held 400 shares of Class A Columbia Broadcasting System stock when becoming a member of its board of directors.

Chicago Luncheon For Miss Parsons

CHICAGO, Jan. 4.—The luncheon on Monday for Louella O. Parsons, being staged by the Headline Club of Chicago, will find the majority of Chicago's leading exhibitors present. Film exchange officials are also planning to attend and indications are that the luncheon will be one of the bright spots in Chicago theatre history.

Gary Suit Trial Set

CHICAGO, Jan. 4.—Trial of the Gary suit against Balaban & Katz, the majors and Warner Theatres has been docketed for trial in Federal Judge Holly's court on Jan. 10. Attorneys today expressed doubt that the trial will begin on that date.

"THE

It has no equal for action!

FIGH

It makes entertainment history

Their greatest performances
—their greatest picture!

AS NEVER BEFORE!
He gives to his part from the heart...definitely an all-time top!

TING 69TH"

It will make business history!

Heading a glorious New Warner Year!

JAMES CAGNEY • PAT O'BRIEN
GEORGE BRENT
in 'THE FIGHTING 69TH'
with
JEFFREY LYNN • ALAN HALE • FRANK McHUGH
DENNIS MORGAN • DICK FORAN
WILLIAM LUNDIGAN • GUINN "BIG BOY" WILLIAMS
HENRY O'NEILL • JOHN LITEL
Directed by WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin • A Warner Bros.-First National Picture

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 1	Cafe Hostess *Preston Foster* *Ann Dvorak*	A Call on the President *Ann Sothern* *Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien* *Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers* *Carol Landis*	Reno *Richard Dix* *Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs* *Constance Moore*	Return of Dr. X *Humphrey Bogart* *Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan* *Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar* *Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon* *Joan Brodel*	Barricade *Alice Faye* *Warner Baxter*		Man from Montreal *Richard Arlen* *Andy Devine*	Private Detective *Jane Wyman* *Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon* *Rita Johnson*	Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale* *Joseph Allen, Jr.*	South of the Border *Gene Autry* *June Storey*		The Honeymoon's Over *Stuart Erwin* *Marjorie Weaver*		Missing Evidence *Preston Foster* *Irene Hervey*	The Mad Empress *Medea Novara* *Lionel Atwill*
Dec. 22		Judge Hardy & Son *Mickey Rooney* *Lewis Stone*	Gentleman from Arizona *Craig Reynolds*	Gulliver's Travels *Lanny Ross* *Jessica Dragonette*	Days of Jesse James *Roy Rogers* *Charles Bickford* Thou Shalt Not Kill	Escape to Paradise *Bobbie Breen* *Kent Taylor*	Everything Happens at Night *Sonja Henie*	Slightly Honorable *Ruth Terry* *Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters* *Gale Paige*
Dec. 29	My Son Is Guilty *Bruce Cabot* *Jacqueline Wells*	Balalaika *Nelson Eddy* *Ilona Massey*		The Great Victor Herbert *Walter Connolly* *Mary Martin*	Money to Burn *Higgins Family*	Hunchback of Notre Dame *Charles Laughton*	The Cisco Kid and the Lady *Cesar Romero* *Marjorie Weaver*	Raffles *David Niven* *Olivia de Havilland*	Destry Rides Again *Marlene Dietrich* *James Stewart*	Invisible Stripes *George Raft* *Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett* *Iris Meredith*	The Earl of Chicago *Robert Montgomery* *Edward Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry* *Louise Campbell*		Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche* *Andrea Leeds*		Framed *Constance Moore* *Johnnie Downs*	A Child Is Born *Geraldine Fitzgerald* *Jeffrey Lynn*
Jan. 12	Music in My Heart *Tony Martin* *Rita Hayworth*	The Shop Around the Corner *Margaret Sullavan* *James Stewart*	The Secret Four *Frank Lawton* Fatal Hour *Boris Karloff*	Geronimo *Preston Foster* *Ellen Drew* *Andy Devine*	Heroes of the Saddle *Three Mesquiteers*	Mexican Spitfire *Lupe Velez* *Leon Erroll*	City of Chance *Lynn Bari* *C. Aubrey Smith*	Of Mice and Men *Burgess Meredith* *Lon Chaney, Jr.*	The Invisible Man Returns *Sir Cedric Hardwicke* *Nan Grey*	Brother Rat and a Baby *Jane Bryan* *Priscilla Lane* *Eddie Albert*
Jan. 19	His Girl Friday *Cary Grant* *Rosalind Russell*	Congo Maisie *Ann Sothern* *John Carroll*	Hidden Enemy *Warren Hull* *Kay Linaker*	Santa Fe Marshal *William Boyd* *Russell Hayden*	Wolf of New York *Edmund Lowe* *Rose Hobart*	Married and in Love *Alan Marshall* *Barbara Read*	He Married His Wife *Joel McCrea* *Nancy Kelly*	Rebecca *Laurence Olivier* *Joan Fontaine*	West of Carson City *Johnny Mack Brown*	British Intelligence *Boris Karloff* *Margaret Lindsay*
Jan. 26	The Lone Wolf Strikes *Warren William* *Joan Perry*	Lambeth Walk *Lupino Lane* *Sally Gray*	Pioneer Days *Jack Randall*	Remember the Night *Barbara Stanwyck* *Fred McMurray*	Village Barn Dance *Richard Cromwell* *Doris Day*	Swiss Family Robinson *Thomas Mitchell* *Freddie Bartholomew*	High School *Jane Withers* *Joe Brown, Jr.*		Green Hell *Constance Bennett* *Douglas Fairbanks, Jr.*	Fighting 69th *James Cagney* *Pat O'Brien* *George Brent*
Feb. 2	Blondie On a Budget *Penny Singleton* *Arthur Lake*	Strange Cargo *Clark Gable* *Joan Crawford*	Chasing Trouble *Frankie Darro*	Parole Fixer *William Henry* *Virginia Dale*		The Marines Fly High *Richard Dix* *Lucille Ball*	The Man Who Wouldn't Talk *Lloyd Nolan* *Jean Rogers*		My Little Chicadee *Mae West* *W. C. Fields*	

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

DECEMBER 29
Headliner
FRANKIE MASTERS
AND HIS ORCHESTRA

JANUARY 5
Color Cruise
CUBA

JANUARY 19
Paragraphic
SUGAR WIND

JANUARY 19
Popeye the Sailor
SHAKESPEARIAN
SPINACH

100%
BOX OFFICE
tested

1939 Grosses Best in History Of 3 Networks

Total gross billings for the year for NBC-Red were $34,982,163, for CBS $34,539,665 and for NBC-Blue, [illegible],262,191, making 1939 the best year [illegible] the networks. Mutual, which released its figures earlier this week, also found this year the most profitable.

CBS was first with gross billings for December with $3,529,154, a rise of 39.5 per cent over 1938. NBC-Red grossed $3,262,504 for the month, a rise of 11.4 per cent over last year, while NBC-Blue grossed $1,017,244, a rise of 6.1 per cent over last year.

NBC broke all records for the third consecutive month. The year's billings for the Red gave the web the largest revenue of any single advertising medium in the world, network officials said. The combined total for NBC's two networks was $45,244,354, a rise of 9.1 per cent over last year.

For the year, CBS rose 26.3 per cent over last year's gross of $27,345,397. NBC-Red rose 9.9 per cent over last year's $31,827,548. NBC-Blue rose 6.5 per cent over last year's $10,262,191.

Ticket Tax Yields U.S. $20,500,000

(*Continued from page* 1)

ment picture distribution activities eventually and will take over the production of films for the various departments and agencies. It will be headed by a director at a salary of $7,500 a year, who will have a staff of 26 persons.

President Roosevelt's emergency national defense program, in addition to the regular defense programs, will involve an expansion of the Navy's motion picture service, the budget disclosed.

The supplemental appropriation, to be acted on by Congress immediately, will provide $40,000 for the motion picture service which supplies films to ships and shore stations for entertainment of the enlisted personnel, and for which the Navy appropriation bill carries $85,000 a year. For the coming fiscal year, $50,000 is to be added to the regular $85,000.

Motion picture activities of the Department of Agriculture during the coming year are to be curtailed by a reduction of its film fund from $78,550 for the current year to $75,240.

The Federal Communications Commission is to be given an increase of nearly $300,000, to a total of $2,125,000.

Denies Plea of U. A. On Folley Dismissal

Federal Judge Vincent Leibell yesterday denied an application of United Artists to dismiss the complaint of Folley Amusement Holding Corp. in its anti-trust suit against the majors, Monogram, Republic and others. Judge Leibell refused to pass on the question of jurisdiction, however, until a bill of particulars is filed by the plaintiff.

MPTOA in Drive Against Neely Bill

Enlistment of M.P.T.O.A. members throughout the country in an organized campaign to oppose passage of the Neely bill by the House is urged in the current bulletin of the national exhibitor organization sent to members yesterday.

The bulletin contains a detailed analysis and interpretation of the bill with particular reference to its application to exhibitors. It urges all theatre owners to study the measure and its effect upon their business, and to write to their representatives at Washington voicing their opposition to the measure.

Various phases of industry opposition to the Neely bill were discussed and considered at the adjourned quarterly meeting of the M.P.P.D.A. board of directors yesterday. The board also concluded its formal discussions of the foreign market situation and adjourned without date.

Jackson to Press Anti-Trust Drive

WASHINGTON, Jan. 4.—Continuance of the present anti-trust policies of the Department of Justice is foreseen here under the leadership of Solicitor General Robert H. Jackson, today nominated as Attorney General to succeed Frank Murphy, simultaneously elevated to the place on the Supreme Court made vacant by the death of Associate Justice Pierce Butler.

As assistant attorney general in charge of the anti-trust division, in which position he was succeeded by Thurman Arnold, and as Solicitor General, Jackson has been in close touch with the department's monopoly campaign and is in full sympathy with the objectives of the administration.

Since the budget figures for the department, submitted to Congress today, were finally developed after the promotions of Murphy and Jackson were practically assured, the maintenance of the anti-trust enforcement fund at practically its present level is seen as another indication the current campaign will be continued under the new Attorney General.

'U' Officials Leave Today for Studio

Nate J. Blumberg, Universal president; W. A. Scully, vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, will leave for the Coast by train today for conferences with studio heads on next season's production plans. J. Cheever Cowdin, board chairman, will leave by plane tonight to attend the meetings. The home office executives will be away about two weeks.

'Lincoln' Trial Ended

Trial of the suit of Robert E. Sherwood and the Playwrights Producing Co. against 20th Century-Fox ended yesterday with Supreme Court Justice Peter B. Schmuck reserving decision. Plaintiffs claim that the film "Young Mr. Lincoln" infringes upon the Sherwood play "Abe Lincoln in Illinois" and seek an injunction and damages.

Small Brokers Face Split on Ticket Code

A split in the ranks of smaller brokers appeared imminent last night as several indicated that they might accept the ticket code drawn by the League of New York Theatres. Gustave A. Gerber, attorney for Associated Theatre Ticket Agencies, who stated Wednesday night that he would bring suit yesterday, declared that he was withholding the filing of the suit until next week.

Committee to Take Early Neely Action

WASHINGTON, Jan. 4.—Senator Neely's bill to outlaw block booking was expected today to come up for consideration by the House Committee on Interstate and Foreign Commerce some time next month.

The committee's calendar calls for consideration first of pending railroad legislation, with the block booking bill as the second subject.

No meeting of the committee has yet been called, and it is probable that no decision as to the handling of the Neely bill will be made until the measure is reached, but indications are that no action will be taken without exhaustive hearings.

If the committee holds hearings on the bill, the belief is that it may not reach the House until April.

Doubt Action On Copyright By Congress

WASHINGTON, Jan. 4.—Chances for enactment of copyright legislation this session were said today to be rather doubtful because of the controversial nature of the legislation, the desire to curtail the session and the lack of chairmen for both the Senate and House Patent Committees.

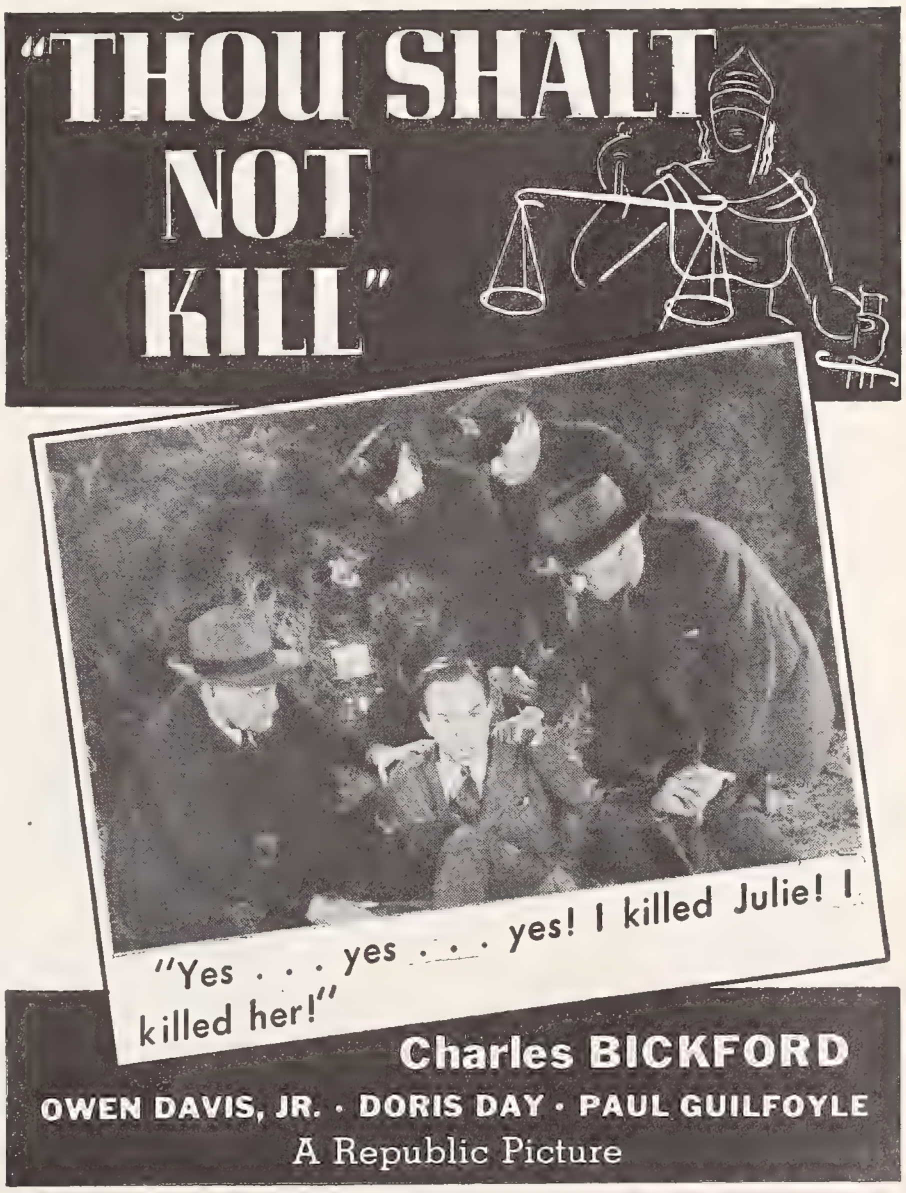
Senator Bone of Washington, head of the Senate group, is still confined to his home in Tacoma with a broken hip, fractured some weeks ago when he slipped on a rug. He probably will not come to Washington until late in February. Representative Sirovich, chairman of the House Committee, died last month.

The legislation drafted by the Shotwell Committee has been sent to both committees, where it is considered as proposals for legislation, and has yet to be traded into bill form.

Ampa's Neely Fight Group Sets Meeting

Ampa's committee considering means of campaigning against the Neely bill will meet Monday at 1 o'clock at the Hotel Astor. Kenneth Clark, Hays office publicity director, will attend.

The committee includes Martin Starr, chairman; Lou Pollock, Herb Berg, Leon Bamberger, Paul Lazarus, Jr., and Eli Sugarman.


"THOU SHALT NOT KILL"

"Yes . . . yes . . . yes! I killed Julie! I killed her!"

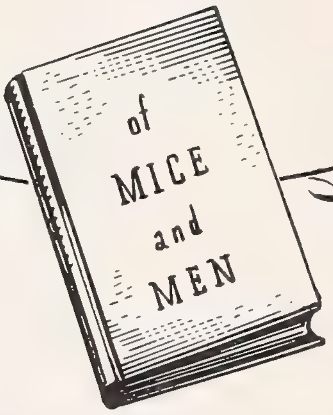
Charles BICKFORD
OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

Hailed by the Associated Press in 1,200 leading newspapers as one of the best pictures of the year.

Publicized in the current issue of Collier's with a double-spread feature article to 3,500,000 readers. Featured by Life as The Picture of the Week. Given a smash four-page break in Look.

Okayed by its famous author, John Steinbeck, who says he is "proud to be associated with this very moving picture."

Held Over in its pre-release engagements at the FOUR STAR, LOS ANGELES and the ORPHEUM, MONTREAL.



HAL ROACH presents

"OF MICE AND MEN"

by **JOHN STEINBECK** Author of "The Grapes of Wrath"
with **BURGESS MEREDITH • BETTY FIELD • LON CHANEY, Jr.**
Produced and Directed by **LEWIS MILESTONE** · Associate Producer
Frank Ross · Screen Play by Eugene Solow · Released thru **UNITED ARTISTS**

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 5 NEW YORK, U. S. A., MONDAY, JANUARY 8, 1940 TEN CENTS

Fairbanks UA Stock to Son, Widow Looms

Sale Doubted as Terms Of Will Are Revealed

Douglas Fairbanks' one-fifth stock interest in United Artists may be disposed of at the discretion of the trustees and executors of his estate, it was revealed with the admission of Fairbanks' will to probate in Surrogate's court here on Friday.

Although neither the United Artists stock nor the Elton Corp., Fairbanks' personal holding company which owns it, is mentioned in the will, the trustee and executors are authorized through the will to liquidate any part of Fairbanks' property necessary to set up a $2,000,000 fund out of which specific bequests are to be made to the widow and members of the family after initial bequests totaling $95,000 have been made.

Guaranty Trust Co. is named trustee and that bank and the Bank of America National Trust & Savings Association, are executors.

However, an affidavit attached to the will and signed by Dennis F. O'Brien, Fairbanks' attorney, discloses that trust funds aggregating approximately $1,700,000 compromise a large part of the present estate and, with real estate and investments in West Coast studios, may be sufficient to meet the specific bequests without a sale of the United Artists stock being necessary.

In that case, ownership of the Elton Corp., and with it the United Artists stock, will pass to the widow,

(*Continued on page* 5)

La Guardia Film Statement Today

Mayor La Guardia will have an important statement today on his campaign for Eastern film production.

His office made this announcement Saturday following a conference with a delegation of American Federation of Labor union leaders, headed by Sal J. Scoppa, business manager of Studio Mechanics Union, Local 52.

The nature of the Mayor's statement was undisclosed. However, it is believed that La Guardia will reveal specific progress in efforts to stimulate movie-making in New York City. It has been unofficially reported that several major companies are prepared to cooperate in the plan.

Bankruptcy Order For Grand National Won by Creditors

Efforts to reorganize Grand National Pictures ended Friday when Referee Peter B. Olney, Jr., ordered liquidation of the company and appointed Harry Fromberg as trustee in bankruptcy.

Fromberg, who must post a $20,000 bond, takes office immediately with authority to continue business for five more days.

Liquidation was ordered during a meeting of creditors after J. T. Cosman, head of Producers Laboratories, had withdrawn a $4,000 check which he had filed earlier in the day as indemnity to allow continuation of the business.

Cosman's attorney charged creditors with raising too many objections and with the intention of causing "trouble" for any proposed plan.

Saul E. Rogers, attorney for the company, stated at the meeting that the R.F.C. had rejected the application for a $450,000 loan in a letter which said that the company had not sufficiently demonstrated that the loan and other funds would enable the company to operate profitably.

The Creditors' Committee was polled by Referee Olney and voted unanimously for liquidation. An at-

(*Continued on page* 8)

FM Broadcasting Ready, FCC Told

Widening of the band for frequency modulation, permission for regular operation instead of on the experimental basis as at present and an increase of the power limit for FM stations from one to five kilowatts will be sought at F.C.C. hearings on Feb. 28 by station operations interested in

(*Continued on page* 8)

NEELY BILL SCORED BY 350 N.Y. UNIONS

Labor Council Points Out 'Destructive' Features, Urges Its Defeat

Vigorous opposition to the Neely bill was registered Friday by the Central Trades and Labor Council executive board, representing 350 American Federation of Labor unions in New York, with a combined membership of more than 600,000.

The joint statement by Thomas Murtha, president, and the board declared that the measure would increase the risk taken by producers, resulting in a drastic curtailment in the number of films produced, and the consequent loss of studio jobs in addition to the closing of theatres for lack of product. Also, it was said, the measure would solve none of the problems of the industry.

The full text of the statement follows:

"The Neely bill has been endorsed by many earnest but misinformed or misguided people and groups, but organized labor, as represented by the American Federation of Labor, has carefully analyzed the bill and finds that its enactment would cause tremendous injury to thousands of workers in various branches of the great American motion picture industry.

"The measure has been introduced ostensibly to prohibit the practice known as block booking in the leasing of motion pictures to theatre owners, but the bill, stripped of its camouflage, is designed to increase tremendously the risks taken by the producing com-

(*Continued on page* 5)

Warners Complete Picture in England

Warner Bros., the first American company to resume production in England since the start of the war, last week completed the first of five scheduled pictures at the Teddington studio. It is the "Briggs Family," a story of a typical English family in war time.

The Warner home office points out that it was able to resume British production early because it owns and operates its own studio.

E. Roosevelt Quits As Network Leader

Elliott Roosevelt, president of Transcontinental Broadcasting System, announced over the weekend that he had resigned the post and had withdrawn as a member of the board of directors, as of Dec. 21. Roosevelt gave no reason for his resignation and referred inquiries to Milton Diamond, his attorney.

Diamond declared that he had nothing to add but that there might be a statement early this week disclosing Roosevelt's reasons. Rumors of the resignation were current for some time but officials consistently denied them.

John T. Adams, TBS board chairman, declared that the network was "still shooting for the Feb. 1 opening date." Adams, who is also executive vice-president of the Texas State Network, denied a report that he was severing ties with the latter web.

Warner Delays Goldwyn Deal Pending U. A. Contract Study

Hollywood, Jan. 7.—Formal closing of the deal by which Warner Brothers would distribute Samuel Goldwyn's "The Westerner" will be deferred until the legal status of the producer's contract with United Artists has been clarified.

It appears certain that preparations for the sale and release of the picture are being held in abeyance. Meanwhile, however, the statement of a week ago that Warners would distribute "The Westerner" had not been changed up to Saturday.

Samuel Goldwyn declined to comment on any phase of his contractual relations with either Warner Brothers or United Artists on his arrival here from the Coast over the week-end. He referred all inquiries to his attorney, Max D. Steuer, who also said he had no comment to make.

League Acts to Stop Bootlegged Tickets

Efforts to stop the improper supply of tickets to unaccredited brokers will be started tomorrow when the enforcement board of the ticket code meets to hear the first complaints. The board is composed of four members, two from the League of New York Theatres and two from Actors Equity.

The supply of tickets to brokers who refused to accept the code stopped on Dec. 27, but the brokers had two or three weeks' supply on hand at that time. They will begin to feel the pinch this week.

The enforcement board has authority to investigate all violations and to

(*Continued on page* 5)

◂ Purely Personal ▸

TERRY RAMSAYE, editor of *Motion Picture Herald,* and MRS. RAMSAYE have left on the *Borinquen* for Puerto Rico.

•

WILLIAM A. FINNEY, Atlanta; MIKE CULLEN, Columbus; HARRY LONG, Cleveland; CARTER BARRON, Washington; H. M. ADDISON, Boston, and HARRY SHAW, New Haven, all Loew district managers, have returned to their posts after a home office meeting.

•

CHARLES LAUGHTON has been commissioned a Lieutenant-Commander by GOVERNOR RIVERS of Georgia. LAUGHTON is on a personal appearance tour in the South.

•

AL MARGOLIES, United Artists publicity manager, left by plane over the week end for a 10 days' Coast visit after being delayed a day in his departure by bad weather.

•

JOSEPH D. MCELHINNEY, formerly 20th Century-Fox salesman in Salt Lake City, is en route to Singapore where he will manage the company's office.

•

GEORGE O'BRIEN and LUCILLE BALL arrived from the Coast over the week-end. MISS BALL is here on a vacation while O'BRIEN and his wife will embark on a cruise to South America.

•

ORSON WELLES flew here over the week-end to appear in a broadcast with HELEN HAYES and returned immediately to the Coast.

•

SID DANNENBERG, associated with Warners in Ohio, has been granted a leave of absence and will leave within a week for the Coast.

•

RALPH G. OLSON, salesman at the Universal exchange at Des Moines, and BETTY CULP of Leon, Ia., are to be married next month.

•

FLORENCE EHRLICH, secretary to ALAN F. CUMMINGS at M-G-M, will be married Jan. 28 to REUBEN EISENSTEIN.

•

LAURA HOPE CREWS, actress, returned to Hollywood yesterday for an assignment at 20th Century-Fox.

•

JOSEPH HUMMEL, Warners' foreign manager, arrives today in Lima, Peru, for a tour of the Latin American market.

•

JAMES MULVEY, Eastern representative for SAMUEL GOLDWYN, arrived from the Coast over the week end.

•

S. CHARLES EINFELD, Warners' advertising and publicity director, is due Friday from the Coast.

•

JACK ELLIS of RKO returns from Florida today.

SCRATCHES
On Film Can Be Removed Only by
AMERICAN RECONO, INC.
245 W. 55th St., New York, N. Y.
Negative — Positive —
Color Film Rejuvenated

Paramount Houses Close 'Wind' Deals

Deals with three Paramount theatre partners for "Gone With the Wind" have been set by M-G-M, in contrast to Balaban & Katz in Chicago and United Detroit Theatres in Detroit with whom negotiations have fallen through.

Contracts with Paramount affiliates were approved Friday by the home office as follows: Tri-States, which will open the picture at the Paramount, Omaha, Jan. 25, and Paramount, Des Moines, Jan. 26; Intermountain for the Paramount, Salt Lake City, Jan. 29; Minnesota Amusement Co. for the Orpheum theatres in Minnesota and St. Paul, Feb. 2, and the Garrick, Duluth, Feb. 16.

A seventh deal closed Friday was for the RKO Orpheum, Denver, Jan. 24.

All will follow the general policy of three performances daily, with the evening show reserved. In Denver there will be two shows on Sunday, both reserved.

Selznick Offers Prizes For Best 'Wind' Letters

Selznick International is offering $200 in prizes to theatre staffs for the best letters on presentation of "Gone With the Wind."

A prize of $100 will be given for the best letter from a house manager on "How I Exhibited 'Gone With the Wind.'" Other prizes include $50 for the best letter on how the picture was projected; $25 on how ushering problems were handled and $25 on "How I Assisted the Exhibition" of the picture, open to employees who are not eligible for any of the other prizes.

The letters will be judged solely on the basis of their value to future exhibitions of the film and will become the property of Selznick International.

Loew's Houses Start Reserved Seat Sale

Advance ticket sales started yesterday, simultaneously with the first newspaper ad, at Loew's theatres out of town where "Gone With the Wind" will open Jan. 26. Seats are reserved at $1.10 with loges at $1.65 for all night shows and Sunday matinee at 2 p. m. Weekday matinee prices will be 75 cents for unreserved seats.

Tri-States Closes Omaha Paramount

OMAHA, Jan. 7.—Tri-States Theatres closed the 3,000-seat Paramount here after 60 days of operation at what District Manager Cummings said was "a tremendous loss."

The house is four blocks from the city's main business sector and has been regarded as a white elephant almost from time it opened in 1926. It has been open from 30 to 60 days per year during last five years. Don Allen, manager, has moved back to his post as Omaha manager, and Don Shane, substituting for Allen at the Omaha, has returned to the Orpheum.

Ohio Admission Tax Nets $1,645,147 in '39

COLUMBUS, Jan. 7.—Collections from the Ohio admission tax in 1939 amounted to $1,645,147.57. Theatres pay the three per cent retail sales tax, based on gross receipts. During 1939 the picture industry paid the Ohio censor board $195,083.52.

So Monotonous!

W. A. Finney, Loew district manager in Atlanta, tells of of the excitement in Atlanta over "Gone With the Wind," where it is playing Loew's Grand. Says Finney:

"The reserved seat sale line started four weeks before the opening Dec. 15 and has never been broken for a minute. We now are in our fourth week of capacity performances and selling into the sixth week. It's really getting monotonous."

400 See Goldwyn Get Critics' Award

About 400 guests from the film and stage attended the New York Film Critics' cocktail party at the Rainbow Room yesterday on the occasion of the presentation of the annual awards.

Samuel Goldwyn, producer of the winning film, "Wuthering Heights," received the bronze plaque emblematic of the first award.

Highlight of the party was a Coast-to-Coast NBC-Blue broadcast with speakers from Hollywood and New York. The Hollywood end of the program was heard over loud speakers in the Rainbow Room. Heard on the air were Kate Cameron, chairman; Mayor LaGuardia, Goldwyn, Vivien Leigh, James Stewart, Walter Wanger, William Wyler, Merle Oberon, Laurence Olivier, Geraldine Fitzgerald and Flora Robson.

MacIntyre in West On RKO Sales Drive

Herb MacIntyre, captain of the RKO Ned Depinet Sales Drive; Cresson E. Smith, western and southern sales manager, and Harry Cohen, western district manager, will meet in Denver tomorrow with J. H. Ashby, Denver manager, and his staff. Harry Gittleson, editor of the RKO house organ, is with the group.

The sales heads will go on to Salt Lake City, Portland, Seattle, San Francisco and Los Angeles in the interests of the drive.

Newark Receives Rogers Fund Check

Harry H. Buxbaum, 20th Century-Fox branch manager here, has presented a check for $2,990 to City Commissioner Thomas J. McMahon in Newark as that city's share of the Will Rogers Memorial Fund contribution to the National Foundation for Infantile Paralysis. The money will be used by local institutions.

Buxbaum, who was chairman of the New York-New Jersey zone in the Will Rogers Memorial Fund campaign, recently presented a check for $1,500 to Hoboken institutions.

Four Firms Chartered

ALBANY, Jan. 7.—Four theatre companies have been incorporated here recently. They are: Laka Amusement Corp., Rochester; Beross Theatre Corp., Brooklyn; Vaudpix Corp., Brooklyn, and H. & B. Theatre Corp., Brooklyn.

U. S. Tells Majors Of Queries Stand

Special Assistant Attorney General Paul Williams stated Friday that conferences with attorneys for the majors had been completed on that day with an exposition of the government's position in reference to answering interrogatories of the defendants in the anti-trust suit.

Williams declared that the government had made it clear as to how far it would go in answering questions and that it remained for the defendants to say whether this was satisfactory to them.

In the event that the government position is acceptable, he said, a stipulation would be drawn setting it forth. Refusal to accept by the majors, he concluded, would necessitate a decision by Federal Judge Knox on the question.

Monogram Drive Details Are Fixed

CHICAGO, Jan. 7.—Franchise holders representing 25 Monogram exchanges met at the Blackstone Hotel here yesterday and today with a home office group headed by W. Ray Johnston, president, and set details of the company's five-week sales drive.

The drive, "March of Monogram," will run from Feb. 26 to March 30. Scott R. Dunlap, vice-president in charge of production, arrived from the Coast for today's session.

The Saturday meeting was devoted to the allocation of individual branch quotas for the drive, based on territorial percentages. Johnston, who presided, pointed out that the company has had no drive for more than a year. Steve Broidy of Boston, Harry Thomas of New York and John Mangham of Atlanta outlined plans already started to stimulate competition in their sales organizations.

Yorke Service Held

A memorial service for Augustus Yorke, 79, member of the old vaudeville team of Yorke and Adams, who died Dec. 27 in Hollywood, was held yesterday at the Midtown Memorial Chapel. Yorke was the father of Gabe Yorke.

Morgan Shooting Short

Herb Morgan, in charge of M-G-M's short subjects publicity, is in Ft. Lauderdale, Fla., producing a short at Clyde Beatty's lion farm.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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"CONFIDENTIALLY, ROSALIND, FOX-WEST COAST SAYS WE'RE 'SOCK ENTERTAINMENT'!"

. . . and more . . .

FOX WEST COAST AGENCY CORPORATION

"SPLENDID," says Ray Lindsey, Fox Pomona Theatre manager, in a confidential report to Fox-West Coast headquarters on a "sneak" preview of 'HIS GIRL FRIDAY' .

"Story starts at LIGHTNING SPEED and never loses pace...the SMART LINES crackle from the screen with the RAPIDITY OF MACHINE GUN FIRE...laughs tumble over laughs so fast that many were lost in the GALES OF LAUGHTER from the audience. There is not a dull spot.

"Audience reaction: 100% APPROVAL. Hearty laughter...at the finish a BIG ROUND OF APPLAUSE.

"Rating: from any standpoint A PLUS. It CANNOT MISS at the box-office."

It's the Year's Wildest, Wittiest Whirlwind of a Love and Laugh Show!

CARY GRANT

Rosalind RUSSELL in HOWARD HAWKS'

"HIS GIRL FRIDAY"

with **RALPH BELLAMY**

GENE LOCKHART • Helen Mack

Based on a play by BEN HECHT and CHARLES MacARTHUR
Screen play by CHARLES LEDERER • Directed by HOWARD HAWKS

General Release—JAN. 18

COLUMBIA PICTURES

Unions of N.Y. Join in Attack On Neely Bill

(Continued from page 1)

panies, which are already staggering.

"We have scrutinized the proposal minutely, and it is our firm conviction that, if it is passed by Congress, it will mean a great curtailment in the number of films produced annually by the American studios. This, in turn, will mean the destruction of the jobs of workers employed in the studios and, at the same time, the shuttering of thousands of motion picture theatres for lack of sufficient product, with a consequent loss of employment to operators and other workers in the theatres.

"Less Freedom for Exhibitor"

"It is claimed for the Neely bill that it will correct what is alleged to be an unhealthy condition, but, as a matter of fact, the measure seeks to give to the exhibitor far less freedom than he now possesses.

"Under the Neely bill the exhibitor cannot get out from under an agreement to show in his theatre a given picture. This is in contrast with the existing situation, which permits the exhibitor to cancel freely.

"Will Solve No Problems"

"Without this suggested law, it has been shown conclusively that theatre owners do have a wide selection. It has also been demonstrated that every producing company gets one of its pictures shown by 5,000 to 9,000 more theatres than will play some other picture turned out by the same studio. Despite all the hue and cry over block booking, the record shows that there is the widest variation in the number of showings of pictures on the annual list of any studio.

"We of organized labor are interested, naturally, in the welfare of the wage-earners. That which is destructive of the industry in which they are employed is destructive of their jobs. We are going to do everything within our power to kill this bill, which will do great damage to a major American industry but will solve none of the serious problems and difficulties of that industry."

Spokane Showmen Support Neely Bill

SPOKANE, Wash., Jan. 7.—Eight local independent exhibitors, meeting at the call of Howard D. McBride, member of the board of trustees of the I.T.O. of the Northwest, went on record in favor of the Neely bill and discussed the feasibility of organizing a local branch of the state organization, affiliated with the Pacific Coast Conference of Independent Exhibitors. James Hone, executive secretary of the I.T.O.N., is expected here for an organization meeting later this month.

First Run for State

Columbia's "The Amazing Mr. Williams" will be first run at Loew's State the week beginning Jan. 18. This is one of the few films which have been given a first run at the theatre. The vaudeville bill that week will be headed by Louis Sobol, *Journal-American* columnist, and Joe E. Lewis, comedian.

Critics' Quotes . . .

"THE GREAT VICTOR HERBERT"

A magnificently melodic film . . . Allan Jones makes his comeback into the spotlight he should have been occupying from the beginning of his screen career . . . Miss Martin is the surprise of the season.—**Chicago Herald-American.**

Victor Herbert's lovely music pervades, like a fragrance, this story about the great composer . . . A sentimental tribute . . . Allan Jones plays the part for all it's worth—and how he *can* sing . . . Walter Connolly is splendid . . . Most cunningly directed.—**Chicago Tribune.**

Mary Martin's beauty and charm and voice belong to the screen . . . Allan Jones' voice is fine.—**Boston Post.**

Don't expect much beyond a pictorially charming production and an earful of Victor Herbert songs . . . The plot just doesn't matter. You'll like Mary Martin . . . You should have a nice time.—**Boston Herald.**

Mary Martin's pleasing personality and exquisite charm indicate future success . . . The Herbert melodies couldn't be sung with better effect than they are in this delightful picture.—**Boston Globe.**

The choice of Walter Connolly for the title role was an inspired one . . . His performance is flawless . . . Many tunes sung gloriously by Allan Jones, Mary Martin and Susanna Foster.—**Boston Traveler.**

What matters is that there are almost 30 Herbert songs or snatches thereof . . . There isn't a great deal of Mr. Herbert himself . . . Suffice it to say that you will enjoy hearing the familiar numbers.—**Boston Transcript.**

Melodious Mary Martin and Victor Herbert's superlative score of the chief assets . . . Her debut picture is another triumph for the lithe and lovely Mary . . . set against a lavish background . . . Susanna Foster counts herself in as the picture's real find.—**Boston American.**

The combination of Victor Herbert's music, of Mary Martin and Allan Jones results in one of the pleasantest pictures you've seen and heard in a long time.—**Chicago Daily Times.**

"THE HUNCHBACK OF NOTRE DAME"

We suspect that when the picture was produced before it must have been more moving than it is here. Mr. Laughton is obviously a pathetic character, but you seldom feel it . . . The picture itself is an expensive, spectacular and throughly gruesome affair.—**Chicago Daily News.**

"The Hunchback of Notre Dame" is Charles Laughton. It is also Victor Hugo . . . Grips the emotions. The present film is more than adequate . . . The cast is not only distinguished, but good, and William Dieterle's direction is another fine feather in a plush cap.—**Chicago Daily Times.**

A striking, enormously spectacular costume drama in which Charles Laughton plays the deformed bellringer with force and power.—**N. Y. World-Telegram.**

RKO has made a spectacular drama of "The Hunchback of Notre Dame" . . . The script is not completely satisfactory . . . Charles Laughton gives another of his vivid characterizations.—**N. Y. Sun.**

RKO's remake of "The Hunchback of Notre Dame" is decidely impressive on the pictorial side . . . Lavishly produced . . . Charles Laughton features a properly horrendous makeup, but the film revolves itself into a stately and handsome pageant.—**N. Y. Journal and American.**

A grotesquerie of considerable fascination, little conviction and a number of fresh slants . . . The picture is at once impressive and ludicrous . . . It will arouse more interest than feeling.—**N. Y. Post.**

Has tremendous dimensions . . . It is a constant feast for the eyes, and once in a while it makes the hair stand on end . . . When it comes to the deeper emotions, the photoplay seems to have a cold quality.—**Philadelphia Public Ledger.**

An artistic and ingenious achievement in motion pictures . . . Charles Laughton is superb . . . It is a picture that will make you gasp and shudder.—**Philadelphia Daily News.**

More than an elaborate, handsome, $2,000,000 spectacle . . . The film discovers a serious, thoughtful study of social and economic France of the 15th Century . . . Laughton's performance is a masterpiece in the grotesque.—**Philadelphia Record.**

A really colossal production. But one still feels that Charles Laughton might be better employed . . . Lon Chaney may rest easy. —**Philadelphia Bulletin.**

Generally Laughton's performance is a matter of magnificent and terrible makeup, seldom impressing one with the horror of a human's soul having been trapped in a monstrous body.—**Philadelphia Inquirer.**

A more spectacular remake of an old horror film . . . Charles Laughton's contribution is one of his best performances.—**Time.**

Compared with the elementary horrifics of the Lon Chaney film, this Charles Laughton successor is a postgraduate exercise in the macabre . . . For the sensation-seeker, the film is a high-powered jolt of cinema hocus-pocus.—**Newsweek.**

Fairbanks UA Stock to Son, Widow Looms

(Continued from page 1)

Sylvia Fairbanks, and Douglas Fairbanks, Jr., in equal proportions.

The will, dated Nov. 2, 1936, authorizes the trustee and executors to form a corporation, if they so desire, and transfer to it all property and trusts of the deceased, then issue to beneficiaries their proportionate shares of its stock. "In this way," the will states, "the sale of any of such properties at an inopportune time may be prevented."

$10,000 to Actors Relief Fund

Initial bequests are made to the following: Motion Picture Actors Relief Fund, $10,000; Charles L. Lewis, Los Angeles, "friend and employe," $10,000; Mrs. Adelaide Crombie, Los Angeles, a cousin, $37,500, in trust, and Kenneth Davenport, Hollywood, $37,500 in trust.

Thereafter, the will directs the establishment of the $2,000,000 fund from the residual estate, of which one-half, but not to exceed $1,000,000, is left to the widow; twelve-fortieths, but not to exceed $600,000, is left to Douglas Fairbanks, Jr.; two-fortieths, not to exceed $100,000, to Robert Fairbanks, a brother, and one-fortieth, not to exceed $50,000, to Norris Wilcox, a brother.

Son and Nieces Get Bequests

Also one-fortieth shares, each not to exceed $50,000, are left in trust to Flobelle Burden, Mary Margaret Chappellet, Letitia Fairbanks and Lucille Fairbanks, nieces. One-fortieth, not to exceed $50,000, is left to Douglas Fairbanks, Jr., for distribution to persons in amounts designated in a private letter accompanying the will.

All remaining property is to go to the widow and Douglas Fairbanks, Jr., in proportions of one-half to each.

League Acts to Stop Bootlegged Tickets

(Continued from page 1)

try cases involving ticket sellers or brokers. It may hold trials of producers only upon the latter's consent. Producers have the right to ask for a trial before an impartial trial board composed of one member each from the League and Equity and one neutral member.

Up to Friday, when the enforcement board meeting was set, the three largest brokers and six of the smaller agencies had signed the code.

Dismiss Kibbey Charges

MONTREAL, Jan. 7.—Charges of theft and forgery against Charles E. Kibbey, accountant for Consolidated Theatres, Ltd., were dismissed at a preliminary hearing Friday. Company counsel informed the court the prosecution had no evidence.

Hold Rites for Davis

PITTSBURGH, Jan. 7.—Funeral services were held on Friday for Harry Davis, pioneer exhibitor, who died Tuesday after a 12-year illness. Davis opened the first film theatre, the Nickelodeon, about 35 years ago here.

Miss Dietrich Records Her Screen Songs

Hollywood, Jan. 7. — Marlene Dietrich has made an album of six recordings, including the highlight songs of her film career, up to and including Universal's "Destry Rides Again," for Decca. The album will be placed on sale in February or March. Decca has also waxed six songs sung by little Gloria Jean, Universal's starlet.

Joel McCrea's illness has caused postponement in shooting of RKO's "The Primrose Path." Another film casualty is Gary Cooper, who had a leg injured on location and is resting now in his Hollywood home.

Universal is starting "Black Friday," horror story starring Boris Karloff and Bela Lugosi. Arthur Lubin is directing and Burt Kelly producing. Others scheduled to start soon at the valley lot are: "House of Seven Gables," with Joe May directing, and the next Deanna Durbin vehicle, "It Happened in Kaloha," in which Kay Francis and Louis Howard have featured roles.

Walter Wanger has engaged James Hilton, noted British author, to join Charles Bennet and Joan Harrison on the screen-play of Vincent Sheean's "Personal History." Alfred Hitchcock, who is to direct, is guiding the script work. . . . Ralph Morgan has been cast for a featured role in M-G-M's Eddie Cantor vehicle, "Forty Little Mothers." . . . Ed Goodnow, New York theatre director and stage manager for "Our Town," has been signed by Sol Lesser as technical adviser on the picturization of the drama. . . . Lois Hall, stage actress, is being tested for a leading role in the film. . . . M-G-M has purchased "Whitechapel," original story of the London slums of 1888 by Leo Birinski and Kurt Siodmak.

Museum to Show Foreign Pictures

The Museum of Modern Art Film Library plans a new series of 10 programs of French, German and Russian films, daily, beginning today and continuing indefinitely.

The Library will show a special program of color films on Jan. 15, 16 and 17. The films are an Edison film of 1905, "La Caverne Infernale," 1905; Douglas Fairbanks in "The Black Pirate," 1926, and a color studio test of Katharine Hepburn, 1936.

'Dollar' Club Profits

During 1939, Loew circuit's "Dollar Club" idea is credited with $46,000 extra business through special ticket-selling efforts by managers for regular shows. The 1938 total was $16,000. In the New York metropolitan circuit, 69 out of 70 managers participated in the extra effort which entitled them to special mention.

Feature Reviews

"His Girl Friday"

(Columbia)

The hit play of a few years back, "The Front Page," by Ben Hecht and Charles MacArthur, which later was transferred successfully to the screen, here returns again as a film, but this time revamped so that a woman may play the role of the unquenchable newspaper reporter, Hildy Johnson.

The result, with Rosalind Russell as "Hildegarde" Johnson, is a racy, action-plus yarn, a bit spicy as to occasional bits of dialogue, but first rate, fast paced entertainment, where the laughs plug the spots where the action lets up. Cary Grant plays the double-crossing, quick-thinking managing editor, only this time, instead of merely wanting to hang on to a good reporter, he also wants to marry her, as she returns from her divorce-vacation.

Miss Russell does a splendid job as Hildy, combining the dynamic excitement which is the main characteristic of the role, with a capable dramatic performance. No less expert is the Walter Burns of Grant. Charles Lederer, in his screenplay, virtually retained the play's plot intact, as well as the greater part of its dialogue, merely altering it to provide the romantic element and changing such other portions as became necessary for a feminine "Hildy."

Contributing marked assistance in support are Ralph Bellamy as the "Mister Milktoast" type of insurance man whom Miss Russell plans to marry; Gene Lockhart as the politician-sheriff; John Qualen as the murderer, Earl Williams; Helen Mack as Williams' girl, and Billy Gilbert as the bearer of the governor's reprieve.

Howard Hawks, who directed, maintained all the pace and speed which always characterized the play.

Running time, 92 minutes. "A." Charles S. Aaronson

**"A" denotes adult entertainment.*

"The Shop Around the Corner"

(M-G-M)

Hollywood, Jan. 7.—M-G-M's "The Shop Around the Corner," directed and produced by Ernst Lubitsch, is a light comedy laid in Budapest, charmingly and refreshingly told and enacted by James Stewart and Margaret Sullavan.

Some time ago, Lubitsch purchased a Hungarian play by Nickolaus Laszlo and waited for the opportunity to cast Stewart and Miss Sullavan. Samson Raphaelson wrote the screen play. After weeks of fine production technique which marks Lubitsch productions, the producer-director had his faith in the vehicle vindicated by a preview audience which gave all indications of enjoying its 97 minutes thoroughly.

Stewart, whose recent roles have gained wide acclaim, is chief clerk in a Budapest shop and carries on a romance through letters with a girl whom he has never seen and who has never seen him. Both fall in love through the correspondence. A new girl is hired by Frank Morgan, proprietor, and she and the clerk constantly battle. He discovers that she is his sweetheart, and in the climax, which comes after the proprietor discovers that another employe is the inamorato of his wife, he breaks the news to her.

Of the supporting players, Morgan, Felix Bressart as a kindly, fatherly clerk, Joseph Schildkraut, as the paramour, and William Tracy, as the adolescent errand boy with ideas of grandeur, are standouts.

Running time, 97 minutes. "G."* Vance King

"Tevya"

(Maymon Films)

This well-produced film is drawing big houses at the Continental Theatre on Broadway where Yiddish patrons indicate by their reaction that they find it entirely satisfactory. Maurice Schwartz, director of the Yiddish Art Theatre, wrote the script, directed and acted the title role.

Based on Sholem Aleichem's folk tale of Tevya the Dairyman, the film is successful in reproducing the atmosphere and spirit of rural life in the Ukraine of old Russia. Schwartz is an expert screen player and has capable support, especially in the appealing personality of Miriam Riselle.

The story deals humanly with a simple head of a family, his joys and sorrows, his philosophy under oppression and his reactions to the impacts of life. The picture has a heart-warming quality throughout and the virtue of good acting. Henry Ziskin was the producer. The music is by Sholem Secunda. English titles are provided.

Running time, 99 minutes. "G."* Alfred Finestone

**"G" denotes general classification.*

Dutch Trade Censoring All Reels on War

By PHILIP de SCHAAP

Amsterdam, Dec. 12 (*By Mail*).—The Dutch Motion Picture Federation has appointed a special committee to preview all newsreels before they are sent to the National Censor Board for examination.

The Federation, ordering that all reels be handled with regard to titles, dialogue and the like in Holland, bans all reels which may cause confusion or raise problems because of their war content. As a result of the plan, in which distributors are cooperating, the Government generally is leaving the matter largely in the hands of the Federation.

Distributors of foreign product here have a sufficient supply on hand for some time. American films form 60 per cent of the total imports, while France imports 15 per cent and Germany also 15 per cent. The German figure compares with 50 per cent before 1933. The Federation has requested that its members not destroy old prints, not because of a threatened lack of new product, but because of the value of the celluloid.

Traveling film houses have been used extensively for performances for the army. During November, 350 performances were given for more than 75,000 soldiers.

"It's in the Air," English production starring George Formby, recently concluded a run of 28 weeks at The Hague. The film has been held over in every Dutch town it has played, and was the most important hit of 1939.

On Jan. 1, 1939, there were 350 film houses in Holland, 17 more than on Jan. 1, 1937. Seven cities have 98 theatres, led by Amsterdam, with 36 and The Hague with 23. There is one theatre in the country for every 24,500 inhabitants. The 350 theatres have a total seating capacity of 180,279 seats.

Heads Boston Operators

Boston, Jan. 7. — Thad C. Barrows has been elected president of Moving Picture Operators Union, Local 182, for the twenty-fourth year. Bernard McGaffigan was chosen vice-president; Albert Moulton financial secretary, Joseph Rose treasurer and James Burke business manager. Joseph Nuzzolo, John Diehl and Louis Pirovano were named to the executive board.

Ampa Transfusion

Ampa members in this morning's mail will receive formal cards reading: "You are cordially invited to attend a blood transfusion." But it is nothing to be alarmed about. It is just a teaser campaign on the part of new members who will conduct next Thursday's meeting at Stouffer's Restaurant.

SWANEE RIVER

Now blazing a record trail of holdovers from coast to coast —after breaking the records of 20th's biggest hits!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

'Wind' Sweeps Los Angeles, Hits $65,000

Los Angeles, Jan. 7.—"Gone With the Wind" smashed all house records with a total of $65,000 at the Carthay Circle and United Artists, with $30,000 at the former and $35,000 at the latter. "The Hunchback of Notre Dame" was very strong, with $19,500 at the Hillstreet and $15,600 at the Pantages. "Of Mice and Men" and "Gulliver's Travels" also were standout attractions.

Estimated takings for the week ending Jan. 3:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50), 7 days. Gross: $30,000. (Average, $17,000)
"Swanee River" (20th-Fox)
"City of Chance" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $15,000. (Average, $12,500)
"Of Mice and Men" (U. A.)
4 STAR—(900) (40c-55c) 7 days. 2nd week. Gross: $8,800. (Average, $3,250)
"Hunchback of Notre Dame" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $19,500. (Average, $6,500)
"Swanee River" (20th-Fox)
"City of Chance" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $17,600. (Average, $14,000)
"Hunchback of Notre Dame" (RKO)
PANTAGES—(2,000) (30c-65c) 7 days. Gross: $15,600. (Average, $7,000)
"Gulliver's Travels" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. 2nd week. Stage: F. & M. revue, Leni Lynn, Rube Wolf and his orchestra. Gross: $26,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days. Gross: $35,000.
"Invisible Stripes" (W. B.)
"Little Accident" (Univ.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $10,500. (Average, $14,000)
"Invisible Stripes" (W. B.)
"Little Accident" (Univ.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $13,500. (Average. $12,000)

Sunday Films Back; Election Ruled Illegal

Anniston, Ala., Jan. 7.—Back in the Fall of 1935 Anniston's picture shows operated a few months on Sundays under provision of the Wellborn bill passed in the 1935 Legislature. After an election in December of that year the shows were closed on Sundays.

Now they have just reopened under provisions of a decree handed down by Circuit Judge R. B. Carr, in a declaratory judgment suit brought against the city of Anniston by the company operating the city's three picture houses.

The decree was a ruling that the December, 1935, election was invalid because the ordinance calling the election was not properly passed by the City Council.

Local 650 Elects

Local 650 of the Operators Union in Westchester County has elected officers as follows: Arthur Martens, president; Irving A. Weiss, first vice-president; Anthony Dente, second vice-president; Irving Brickman, third vice-president; Richard S. Hayes, business manager; Albert E. Bell, trustee; George B. Alley, trustee; Fred Thome, financial secretary-treasurer; Emil Smith, recording and corresponding secretary, and Lawrence Sabatino, press secretary.

Theatre, Personnel Notes

Plan Cincinnati House

Cincinnati, Jan. 7.—Plans for the $75,000 theatre, to be known as the Times, being built on the downtown site of the recently-razed old Times-Star building, have been filed. The 700-seat house has been leased by Gifts, Inc., of which Isaac and Abe Libson are the heads.

Takes Carolina Theatre

Lumberton, N. C., Jan. 7.—The Carolina here will be operated by North Carolina Theatres, Inc., under terms of a 10-year contract. The house will be closed for remodeling.

Dismantle Kentucky Theatre

St. Louis, Jan. 7.—The Savoy, a 366-seater, one of the Crescent Amusement Co. circuit in Princeton, Ky., is being dismantled.

Dan Terrell Resigns

Washington, D. C., Jan. 7.—Dan Terrell, publicity man for Warners here, has left to take charge of publicity for American University.

Change House Policy

Alta, Ia., Jan. 7.—The Roxy policy has been changed to two changes a week instead of three, programs to change on Thursdays and Sundays.

Leases Denver House

Denver, Jan. 7.—Glenn Miller, formerly operating the Rex at Brighton, Col., has leased the Plaza here from David Cockrill. Cockrill still operates the Denham, first run, and the Alpine.

Remodel at Kannapolis

Kannapolis, N. C., Jan. 7.—The Colonial here will be completely remodeled during the coming Spring or early Summer, according to Sam Trincher, general manager.

Big Oklahoma House

Bartlesville, Okla., Jan. 7.—The Berryman Brothers theatre interest in here has been sold to the Griffith Amusement Co. of Oklahoma City. The theaters included in the deal are the Odeon, the Lyric and the Rex.

Reopens in Rodeo, Cal.

Rodeo, Cal., Jan. 7.—The Rio has been reopened by Cecil E. Pace, after extensive alterations.

Sells California House

Monterey, Cal., Jan. 7.—T. A. Work has sold the Monterey to the Monterey Theatre Co., a corporation, which plans extensive alterations.

Manages Columbus House

Columbus, O., Jan. 7.—Saxon J. McRay, who since 1925 has been usher and projectionist at the Empress, neighborhood subsequent run, has been appointed manager of the house.

FM Broadcasting Ready, FCC Told

(Continued from page 1)

the new type of broadcasting method.

A committee of nine was elected over the week-end to draw up plans for an incorporated organization similar in structure to the Independent Radio Network Affiliates, Inc.

Seventy-five representatives of 47 radio organizations met in the Ritz Tower Friday and Saturday to formulate plans for the presentation of testimony at the F.C.C. hearings.

The meeting was of the opinion that FM broadcasting is sufficiently established to permit regular programs. At present FM is limited to five bands.

Bankruptcy Order For Grand National

(Continued from page 1)

tempt was made by Leon Bergere to secure a further postponement with a declaration that he had a plan which would provide for payment to creditors and for a new application to the R.F.C. Creditors, however, vetoed this request.

Referee Olney ordered a new hearing for Jan. 19 at 2 P. M. and requested the trustee to report back to him on that day. Officers of Grand National will be examined at that time under the rules of the Bankruptcy Act.

Mayer Has War Film

"Lights Out in Europe" is being prepared for distribution, according to Peter Mayer, associate producer, who has just returned from Europe. Mayer produced the picture in Poland, England and France with Herbert Kline, producer of a similar film, "Crisis." Running about 90 minutes, the film concerns the war and events immediately preceding it.

FCC Modifies Rule On Air Recordings

Washington, Jan. 7.—Rules for the announcement of the use of mechanical records were modified by the F.C.C. today to provide that such announcements may be made at 30-minute intervals instead of 15 as at present. In the case of continuous recorded programs of greater length than 30 minutes, the rule may be waived.

The announcement must describe the type of mechanical record used whether a transcription or phonograph record.

Rebuke CBC Head For Union Circular

Montreal, Jan. 7.—A rebuke for Gladstone Murray, general manager of the Canadian Broadcasting Corp. is seen in the attitude of Prime Minister Mackenzie King toward the recent circular warning CBC employes against union activities.

King expressed surprise that such a circular was issued. He said, "It certainly did not reflect the attitude of the Federal Government toward trades unions or the organization of workers, either in peace or wartime." He asked more time to study the text before further comment.

Templeton Honored

Alec Templeton, blind pianist, was guest of honor at a cocktail party tendered by NBC Friday night at the Waldorf-Astoria. For the next five weeks, his programs will originate in studios here.

'Hunchback' Hit in Denver With $15,000

Denver, Jan. 7.—"Hunchback of Notre Dame" packed the Orpheum to draw $15,000. "Swanee River" took $11,000 at the Denver.

Estimated takings for the week ending Jan. 3:

"Everything Happens at Night" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days 2nd week. Gross: $3,500. (Average, $3,500)
"Judge Hardy and Son" (M-G-M)
"Mexican Spitfire" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)
"Swanee River" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"Hunchback of Notre Dame" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $15,000. (Average, $9,000)
"Cisco Kid and the Lady" (20th-Fox)
"Call a Messenger" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)
"Housekeeper's Daughter" (U. A.)
"Man From Montreal" (Univ.)
RIALTO—(878) (25c-40c) 7 days, "Daughter" 3rd week. Gross: $2,000. (Average, $1,750)

Canadian Society Sets License Fees

Toronto, Jan. 7.—The fees to be paid by theatres to the Canadian Performing Right Society for 1940 licenses are based on seating capacity as follows: 15 cents per seat for 1,600 seats and over; 12 cents for theatres having 801 to 1,599 seats, and 10 cents per seat for 800 and under. Special provision is made for theatres of not more than 800 seats operating not more than three days each week, for which the license charge is 5 cents per seat. A minimum of $10 has been fixed by the society for any license.

The Society will sponsor for the third year a musical competition for Canadian composers to encourage music in the Dominion, the first prize being a $750 scholarship. Seventy-five have competed in the past two years.

Midwestern Critics To See 'Mice' Tonight

Ike Libson, RKO circuit operator at Cincinnati, will be host tonight to film critics from his own and neighboring cities to view "Of Mice and Men" at the Palace, Cincinnati.

Monroe Greenthal, United Artists exploitation manager, and Burgess Meredith, will leave from here by plane today to attend the overnight affair. Critics from Cincinnati, Columbus, Cleveland, Dayton and Louisville will attend.

Philadelphia Adds To Censor Board

Philadelphia, Jan. 7.—Mayor R. E. Lamberton appointed three non-salaried members to the board of theatre control over the week-end. The board will supervise legitimate stage plays in the city. Henry S. Richardson, city statistician, who served as theatre censor during previous administrations, will head the board.

First Front House Labor Board Ballot

The first labor board election for designation of a collective bargaining agency by theatre managers and assistants, will take place tomorrow for the Endicott Circuit (Nelson & Renner).

Balloting will take place at the offices of the New York State Labor Relations Board between 9 and 10 A. M. At the same time, ushers, cashiers, doormen and matrons employed by the circuit also will vote.

Both ballots will ask whether the employes involved wish to be represented by the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union and will call for a "yes or no" answer. Only employes who were on the payroll on Aug. 17 will be permitted to vote.

The T.M.A.T. called a strike at that time because of the alleged refusal of the circuit to bargain collectively with the union. Officially, the strike still exists, although there is no picketing.

Although the I.A.T.S.E. has a local covering ushers, cashiers, doormen and matrons, its name will not appear on the ballot. The Board has taken the position that the I.A.T.S.E. did not petition for designation and therefore has no standing.

When the strike was called, the ushers and others struck in sympathy with the managers. At that time, it was understood that the T.M.A.T. would turn over these employes to the I.A. However, a subsequent dispute arose between the two unions on the question of jurisdiction over boxoffice men in the legitimate stage field, and the T.M.A.T. is now claiming the ushers. The T.M.A.T. bases its claim on the fact that its A. F. of L. charter grants it jurisdiction over "front of the house" employes.

The S.L.R.B. created a precedent in this case several weeks ago when it decided that the circuit should be polled as a unit despite the fact that the various theatres in the circuit are owned by different interests.

Auditors, Checkers Hear Metro Chiefs

How M-G-M's 1,100 checkers in the field, composing the largest organization of its kind in the business, will handle the accounting of "Gone With the Wind" engagements was discussed at a four-day meeting of company auditors and checking supervisors which closed here Friday.

The collecting of booking statistics for the legal department in connection with the Government anti-trust suit increased the work of the exchange operations department in the last year and will continue to do so, it was said at the meeting.

Checking department representatives attended the annual auditors' meeting for the first time, with maintenance representatives also present.

The meeting was under the direction of Alan F. Cummings, manager of exchange operations, with C. K. Stern, assistant treasurer; Harold T. Cleary of the Loew Theatre accounting department and Charles E. Quick of the M-G-M accounting department conducting various sessions.

William F. Rodgers, general sales manager, and Division Managers T. J. Connors and E. M. Saunders spoke on sales matters.

Tips on Exploitation

Chamber of Commerce Aids Metro Screenings

OMAHA, Jan. 7.—The Chamber of Commerce of Spencer, Ia., is cooperating with M-G-M in sponsoring four trade screenings for exhibitors from the surrounding territory. The organization will give a luncheon for visiting exhibitors while members' wives will entertain exhibitors' wives at tea. Homer L. Lambert, district exploiteer for M-G-M, and Harry L. Sumow, Omaha branch manager, arranged the tieup.

Detroit Cripples See 'Gulliver' in Tieup

DETROIT, Jan. 7.—All crippled and hospitalized children in Detroit and vicinity saw "Gulliver's Travels" through a tieup by the Michigan Theatre with the Detroit *News* Sunshine Club and the local Variety Club. Special portable equipment was used. The theatre played host to about 2,700 underprivileged children, with the cooperation of various community organizations.

Bookmarkers Are Used To Exploit "Hunchback"

MILWAUKEE, Jan. 7.—Bookmarkers with a reading list suggested by the Milwaukee Public Library on one side, were used by Harry MacDonald, manager of the Warner here, to plug "The Hunchback of Notre Dame." Markers advertised the picture and starting date and were distributed at library branches.

Radio Giveaway Is 'Gulliver' Plug

KANSAS CITY, Jan. 7.—For "Gulliver's Travels" at the Newman here, Jerry Zigmond, manager, arranged a giveaway of five Gulliver radios through Stewart-Warner. The sets, on display in the lobby, were given to winners of a contest for the best letter on "Why I Liked the Picture, 'Gulliver's Travels,'" and on "Why I Would Like to Have a Gulliver Radio."

'Indian Braves' Sell 'Allegheny' in Albany

ALBANY, Jan. 7.—Dispatching ballyhoo men, dressed and painted in Indian costumes with appropriate theatre credit tags, through the street crowds and into night clubs, gave Larry Cowan, manager of Fabian's Grand, a plug for "Allegheny Uprising."

Tower Replica Aids 'London' in Frisco

SAN FRANCISCO, Jan. 7.—The entire front of the Warfield, a Fox West Coast house, was transformed into a replica of the original tower of London for the showing of Universal's "Tower of London." The display, which drew big crowds, was conceived by Exploiteer Graham Kislingbury.

Confetti Bombing Used For 'Lion Has Wings'

TORONTO, Jan. 7.—Brantford was bombed with "confetti" from a raiding airplane as a stunt for the showing of "The Lion Has Wings" at the Capitol in that city. Manager A. E. Moule secured the cooperation of the Brant Flying Club with the help of a few passes in having a club machine scatter 10,000 leaflets over the business section of the city.

Wire-Haired Puppies Used to Sell 'Thin Man'

DES MOINES, Jan. 7.—Pioneer Theatre Corp. recently tried a new stunt in showing "Another Thin Man" in nine theatres of the circuit. In a tieup with the newspapers of each of the towns, they obtained nine pedigreed wire-haired puppies. Each puppy was named "Asta" and was displayed in the lobby of each theatre during the week the picture was shown. Each patron was asked to select a middle and last name for the dog. The person offering the best names won the dog.

69th Regiment Dinner To View 'Fighting 69th'

Warners' "The Fighting 69th" will be shown at a dinner celebration on Jan. 24 at the Waldorf-Astoria, marking the anniversary of the entrance into the front lines in January, 1918, of the Rainbow Division, A.E.F., of which the 69th was a part, as the 165th Infantry. Col. William P. Donovan, war-time commander of the 69th, will be among the governmental military and civic leaders who will attend as guests.

Wedding Dress Display Helps 'Wives' in Frisco

SAN FRANCISCO, Jan. 7.—Advance ballyhoo for the showing of Warners "Four Wives," at the Fox here, included a showing of four original wedding gowns, worn in the film, in the main display windows of four leading downtown department stores.

Store Space Aids Sale Of 'Gulliver's Travels'

PITTSBURGH, Jan. 7. — Robert L. Clark, local Paramount exploitation manager, promoted space in a large three-sided window of Gimbel's Department Store here for an animated and talking display on "Gulliver's Travels," featuring rubber and papier mache models. Manager Charles Kurtzmann of Loew's Penn and Joseph Feldman, publicity director here for Warner Theatres, assisted in the tieup.

Philadelphia Houses Weigh Use of Games

PHILADELPHIA, Jan. 7.—Local exhibitors, assured that state authorities will not molest them in regard games, are considering means of getting around the decision handed down last year by Judge Harry S. McDevitt banning the games on the ground that they are violations of the state's gambling acts.

Russell Schockley, Chief Deputy Attorney General, ruled that there is no specific legislation in Pennsylvania statute books regarding games. He said "The question hinges on whether local authorities think such enterprises violate the state's general gambling laws."

With the current change of city administration, independent exhibitors will seek a new interpretation of the law to set aside the McDevitt decision.

CBS Pays Off $200,000

CBS has repaid $200,000 in bank loans in 1939. This amount represents one-fifth of a $1,000,000 5-year loan agreement made last year when CBS acquired the American Recording Co.

Radio Brevities

A FULL-HOUR variety show over the combined networks of NBC, CBS and Mutual will be broadcast Saturday, Jan. 20, for the benefit of the National Foundation for Infantile Paralysis campaign at 11 P. M. Eddie Cantor will be master of cere-

Scheduled to appear are Connie Boswell, Meredith Wilson, Mickey Rooney, Bob Hope, Rudy Vallee, Burns & Allen, Frances Langford, Bob Burns, Frank Parker, Fanny Brice, Bing Crosby, Fibber McGee & Molly, Kenny Baker, Jack Benny, Mary Livingstone, Rochester and Sidney H. Fields.

▼

NBC has discontinued its mimeographed *Daily News Report* and will substitute a printed one-page *NBC Daily News,* starting today.

▼

Campbell Soup Co. has changed Lanny Ross' song program from three-times weekly to a Monday through Friday schedule. The time has been shifted from 11 A. M. to 2 P. M. with 52 CBS stations used.

▼

The arrival of the 25,000,000th General Motors automobile from the assembly line will be broadcast over NBC-Blue from Detroit Thursday at 10:30 P. M. A special program has been arranged and leaders in the automotive world will attend.

▼

"Hollywood Ten-000," featuring Ken Carpenter and a dramatic cast undergoing the difficulties of a Hollywood casting office, is scheduled to start tomorrow over nine NBC-Red stations. Sponsor will be the Prune Growers of California.

▼

Krug Baking Co. will sponsor Adelaide Hawley's "The Woman's Page of the Air" over WABC on Mondays, Wednesdays and Fridays, starting today, at 8:45 A.M.

▼

WDRC, Hartford, is scheduled to start construction of a new tower and directional antenna at the Bloomfield transmitter about March 15. The raise in night power, from 1,000 to 5,000 watts, necessitated the new construction.

▼

The Vatican has started short wave broadcasts on three wave bands to the Americas. The programs are heard here on Sundays and Wednesdays at 9:30 P.M. Eastern time, with other broadcasts in Spanish, French and Portuguese.

▼

E. A. Joscelyn takes over as manager of WBT, Charlotte, on Jan. 15, succeeding Lincoln Dellar who went to manage KSFO, San Francisco. Another WBT change is that of William Winter who has been promoted to the post of CBS regional director of educational broadcasts in 11 states east of the Mississippi.

Buys City's Station

ATLANTIC CITY, Jan. 7.—Sale of WPG, municipally-owned station, has been completed with the delivery by Arde Bulova of a check for $275,000. The station's frequency of 1,100 k.c. will be transferred to Bulova's station WOV in New York. WPG was operated for 16 years but operations resulted in a loss to the city.

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V[illegible] 47. NO. 6 NEW YORK, U. S. A., TUESDAY, JANUARY 9, 1940 TEN CENTS

Fox Plans 52 Feature Films For Next Year

Zanuck and Wurtzel Set 24 Pictures Apiece

By ALFRED FINESTONE

Herman Wobber, general sales manager of 20th Century-Fox, says that the company has decided on a schedule of 52 features for 1940-'41, the same as the present season.

Of these, 24 will be Darryl F. Zanuck productions and 24 will come from Sol Wurtzel. Four will be British pictures, to be made by Robert T. Kane. Kane is conferring on the new lineup at the studio and is scheduled to leave for England shortly.

Wobber, who returned over the weekend from the Coast, said that while the total budget has not been definitely set for next season, the company "will spend courageously and will maintain quality production" despite curtailment of foreign revenue.

Zanuck plans to complete the present season's program by the end of February, when work on next season's films will begin. About 60 stories have been lined for next season and several new personalities have been signed. One of the big pictures will be "Broadcast," a dramatization of the progress of radio, which will star Alice Faye and Don Ameche.

Wobber says he has noted a strong boxoffice upturn since Jan. 1. He believes that the release of several big

(*Continued on page* 5)

Half of New RKO Stock Subscribed; Atlas to Buy Rest

Approximately one-half of the 500,000 shares of new RKO common underwritten by Atlas Corp. to provide $1,500,000 of working capital for the reorganized company was subscribed for with the expiration yesterday of the subscription period.

This will leave approximately 250,000 shares to be picked up by Atlas Corp. at $3 per share, less its commission of 25 cents per share. Atlas must subscribe for these shares by Jan. 16, under the terms of its underwriting agreement with RKO. This will amount to approximately $650,000.

With the general unsecured creditors of RKO not having exercised their subscription right to the new common, the bulk of the shares which were subscribed for went to Rockefeller Center.

Subscription to the shares was on the basis of one share for each $24.44 of allowed unsecured claims. Thus, Rockefeller Center, with a claim of $4,150,000, was entitled to subscribe for approximately 161,000 shares.

The Atlas underwriting fee, in addition to the 25 cents per share on the stock which was not subscribed for, includes a taximeter fee of one-third cent per share on the 500,000 shares for each day intervening between the making of its underwriting offer, Dec. 12, to today, when it will receive notice of the number of shares not subscribed for. This fee will amount to approximately $62,000.

A hearing on the RKO reorganization is scheduled for today before Federal Judge William Bondy.

125 FILMS A YEAR IN N.Y.—LA GUARDIA

'City Gives 27% of Film Revenue, Merits 27% Of All Production'

Mayor LaGuardia stated yesterday at a press conference that his campaign to bring production to the East would win production of a minimum of 125 pictures annually within two years.

New York City, he stated, was entitled to 27 per cent of the total production output since it contributed that percentage of film revenues.

A number of major companies had approved of the plan in principle, and would cooperate with him, he declared. He refused to name these companies and parried the question by saying that "some executives have vision, some haven't."

Later in the interview he said that other large companies would be organized if the majors did not cooperate. "The motion picture industry hasn't in any way been preempted by the large companies," he continued, "and there may be other companies springing up in the near future."

Eastern production will not find it difficult to obtain the necessary financing, the Mayor maintained. He emphatically denied claims that pictures could not be financed unless made in Hollywood and stated that negotiations revealed that better financing could be obtained here.

"There will be no difficulty about legitimate financing and there will be

(*Continued on page* 4)

Mayor's Error, He Apologizes!

Omitted 'Harvest' Award In Critics' Broadcast

After an exchange of accusations and apologies following Mayor LaGuardia's failure to mention the New York's Film Critics Award to "Harvest" as the best foreign film Sunday night on the NBC broadcast, Andre R. Heyman, president of French Cinema Center, decided to accept the award after all.

Heyman was indignant after the broadcast ended and dispatched an angry telegram to the mayor alleging that no mention of the film had been made "because of Hollywood politics." The mayor responded by accepting all the blame for the omission.

"There is simply no excuse for my stupidity," said the mayor, "just as there is no excuse for your getting excited about it and seeking to embarrass the film critics' organization and their committee."

William Boehnel, *World-Telegram* critic, who handled most of the arrangements, said yesterday that last-minute word that the Hollywood end of the program required an additional minute and one-half caused the con-

(*Continued on page* 8)

TMAT Aims Drive At 87 N.Y. Theatres

Starting its 1940 campaign, the Motion Picture Division of Theatrical Managers, Agents and Treasurers Union suspended 83 members for nonpayment of dues and sent registered letters to circuits controlling 87 New York City houses demanding recognition as collective bargaining agency for managers and assistants.

Union officials refused to comment on the suspensions beyond stating that the members had failed to pay their dues. The union claims to have "several hundred" members in good standing.

Having won a victory from the Endicott circuit from the State Labor Relations Board in a ruling that circuits must be treated as a unit for bargaining purposes, the union is tak-

(*Continued on page* 8)

Lasky Back As Producer; Films to Star Radio Talent

By SHERWIN A. KANE

Jesse L. Lasky will return to production this year, during which he plans to make three pictures featuring new talent discovered through the medium of his Gateway to Hollywood radio program, the producer said yesterday.

Lasky is negotiating for a major company affiliation for both production and distribution of his pictures and expects to complete a deal during his current stay in New York.

Lasky's radio programs for this year are planned in three series extending over a period of 13 weeks each. Talent selections will be made at the end of each 13 weeks, with the public being invited to vote for the selection of four winners from each of the three broadcast series, and with Lasky as the final arbiter.

Production of a picture will be started after the winners of each broadcast series have been selected, with the first tentatively scheduled to go into work in the late spring. Lasky will select the stories and will work at the Hollywood studio with which he becomes affiliated, borrowing stars and some supporting players from that studio to work with his new talent.

Heretofore, the talent discovered on the Gateway to Hollywood broadcasts has gone to any studio bidding for it.

Lasky's radio program will be tied in closely with the pictures planned.

(*Continued on page* 8)

2½ Million Trust Suit Filed by 7 Theatres

Boston, Jan. 8.—Charging violation of the anti-trust laws, seven theatre corporations from Massachusetts to Florida today filed suit for $2,595,000 in Federal court here. Eight major companies are accused.

Plaintiffs in the suit are Loew's Drive-in Theatre, Providence, R. I.; Lynn Open Air Theatre, Inc., Lynn, Mass.; Winchester Theatre Company, Winchester, Mass.; E. M. Lowes, Inc., operating Winchester Theatre under lease; Miami Drive-in Theatre, Dade County, Fla.; Governor Ritchie Theatre, Inc., Glen Burnie, Md., and the Mount Vernon Theatre Corporation, Alexandria, Va.

Named in the suit, returnable in twenty days, are 20th Century-Fox; Loew's, Inc.; Vitagraph, Inc.; Para-

(*Continued on page* 6)

Philadelphia Court Rules Games Illegal

PHILADELPHIA, Jan. 8.—Theatre games again are under legal ban here, as a result of a decision by Judge Eugene Allessendroni in Common Pleas Court, in a test case brought by Assistant City Solicitor James F. Ryan against the Mayfair, which featured a weekly game.

The court held that several aspects of the quiz game made it a lottery rather than a test of skill.

"The practice of holding these games was spreading to other theatres," said Ryan, "but under the decision of Judge Allessendroni all such games are now held to be lotteries. On the strength of the ruling, police will be instructed to see that the games are not permitted."

Fourth Nick Trial Starts in St. Louis

ST. LOUIS, Jan. 8.—The fourth trial of John P. Nick, deposed head of the motion operators union, on an extortion charge, began today in Circuit Judge Thomas J. Rowe's court. The Judge, before opposing counsel began examining prospective jurors, told the veniremen that if they had been approached to discuss the case they had better inform the court immediately.

The first trial of Nick ended when it was learned a juror talked to a witness outside of court; the second when a venireman failed to reveal his acquaintance with the Nick family, and the third when a venireman said he has been offered a bribe to "go easy on Nick."

Glett Vice-President Of General Film Co.

Lawrence W. Fox, Jr., president of General Film Co., Hollywood, has named Charles L. Glett executive vice-president of the New York subsidiary, General Film Industries, Inc.

On Dec. 1, last, Glett resigned as vice-president in charge of studio operations for Eastern Service Studios. Offices have been established in Rockefeller Center, and Glett will divide his time between here and the Coast.

Margolies to Coast For UA Conference

Albert Margolies, publicity manager for United Artists, left by American Airlines for Hollywood last night on special company business which will keep him on the Coast two to three weeks. During his stay he will make a study of the company's new product and confer with the various U. A. producers on their lots.

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Purely Personal

Y. FRANK FREEMAN, Paramount studio head, is expected from the Coast next week for home office conferences.

•

ADOLPH HAAS, assistant to the president of Alexander Film Co., has left for Miami, Fla., to join MR. AND MRS. J. DON ALEXANDER, hosts on the yacht *Fifty-Fifty.*

•

DOROTHY SHEWBRIDGE, secretary to SAM BENDHEIM, JR., general manager Neighborhood Theatres, Richmond, has announced her engagement to ALTON W. SMITH.

•

ROY E. LARSEN, president of Time, Inc., is the father of a son, JONATHAN ZERBE, born to MRS. LARSEN over the weekend at Doctors Hospital.

•

OSCAR A. DOOB, JACK GOETZ, ERNEST EMERLING and ART SCHMIDT among those lunching at Bob Goldstein's Tavern yesterday.

•

NANCY KELLY, screen player, returned yesterday to Hollywood following an appearance on the KATE SMITH hour.

•

H. M. RICHEY of RKO left yesterday for Clarksburg, W. Va., to attend the I.T.O. of West Virginia convention.

•

PHIL ZENOVICH, manager of the Harding, San Francisco, was married here to IRENE MCCABE of Spokane.

•

JUDY GARLAND has arrived here from the Coast for a brief vacation, accompanied by her mother.

•

GEORGE J. SCHAEFER, RKO president, will return today from a brief vacation in Florida.

•

MAX GORDON, Broadway producer, is the house guest of BEN BERNIE in Miami.

•

SAMUEL GOLDWYN plans to leave for the Coast tomorrow.

•

JULES E. BRULATOUR plans to leave Saturday for Florida.

•

MR. and MRS. LEO SPITZ leave today to spend the season in Miami.

•

STANTON GRIFFIS, BARNEY BALABAN, SIDNEY PHILLIPS, AL LEWIS, PHIL BAKER, ARTHUR LOEW, JOSEPH ROSTHAL, JACK KIRKLAND, LEE SHUBERT, MORRIS GEST and MORT SPRING lunching at Sardi's yesterday.

•

EARL WRIGHT, 20th Century-Fox New Haven salesman, has returned to his post after a trip fishing through the ice at Lake Winnepesaukee, New Hampshire.

•

TOBY GRUEN, MAX A. COHEN, TED O'SHEA, ED SAUNDERS and TOM CONNORS at Nick's Hunting Room in the Astor for lunch yesterday.

•

SCOTT R. DUNLAP, vice-president in charge of production for Monogram, and TREM CARR, producer, arrived in town yesterday.

•

DAVID ROSE, Paramount British production head, arrived from the Coast yesterday and plans to leave for Europe Saturday.

•

MICHAEL BALOG, assistant at the Liberty in Bridgeport, Conn., has announced his engagement to PAULINE NOWA.

•

GEORGE H. MILLER, Altec inspector of the Buffalo area, and MRS. MILLER are the parents of a baby girl, MARY ANN.

•

PEGGY GOLDBERG is associated with REGINA CREWE on special publicity work.

David O. Selznick Honored by N.E.A.

David O. Selznick has been honored by the National Education Association for making "Gone With the Wind." The producer has been named a member of the association's advisory board and has been presented a trophy which bears the inscription:

"'Gone With the Wind' writes a new page in the development of the screen, marking a milestone by which all future cinema endeavor will be judged, and serving as an inspiration for the finest things in motion picture art."

Announcement of the association's action was made yesterday by Dr. William Lewin, chairman of the association's motion picture committee.

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Charles Skouras Here from Coast

Charles Skouras, head of Fox West Coast Theatres, and W. H. (Bud) Lollier, manager of the real estate department, arrived yesterday from Los Angeles for a week's stay during which they will confer with Spyros Skouras, head of National Theatres, and other circuit executives. Mrs. Skouras accompanied her husband here.

Heineman Leaves For Circuit Deals

W. J. Heineman, Western sales manager for Universal, has left by plane for conferences on circuit deals in Detroit, Minneapolis and Chicago. He is expected to return to the home office Monday.

In Detroit he will conclude negotiations with United Detroit Theatres, and confer on several pending circuit deals in Chicago.

Mrs. Sara Phillips Dies

Sara Phillips, mother of Louis Phillips, Paramount home office attorney, died late Sunday at the age of 90. Private funeral services were held yesterday. She is survived also by Abraham and Sol Phillips, sons, and a daughter, Mrs. Anna Benjamin.

Roosevelt Buys Story

HOLLYWOOD, Jan. 8.—"Love Song," a new story by Ursula Parrott, has been purchased by James Roosevelt. Production will start in the Fall and it will be released by United Artists.

Capacity Crowds At 'Wind' Houses

"Gone With the Wind" continued its capacity business at both the Capitol and Astor in its third week at both houses. For the second successive week, the Capitol grossed an estimated $80,000 while the Astor took an estimated $22,000. The first week at the Capitol, the period immediately before Christmas, was under full capacity, but the Astor has been a complete sellout from the start.

At the Music Hall, "The Hunchback of Notre Dame," with a stage show, drew an estimated $97,000 for its first week and took an estimated $31,000 over the weekend. It holds until Wednesday. "His Girl Friday" opens on Thursday.

At the Roxy, "Swanee River," with a stage show, in its second week drew an estimated $22,000 for Friday, Saturday and Sunday. On the same days, "Four Wives," with Abe Lyman's band on the stage, in its third week, drew an estimated $19,500, at the Strand.

"Gulliver's Travels" with Glen Gray's band on the stage at the Paramount took an estimated $30,000 for its third week and holds over for a fourth stanza. At the Rivoli, "The Light That Failed" drew an estimated $35,000 in its second week, and holds over until Jan. 19.

Bondy to Hear RKO Allowances Jan. 17

Federal Judge Bondy yesterday fixed Jan. 17 at 2:30 P. M. as the date to hear applications of George W. Alger, special master, the Chemical Bank & Trust Co. and its attorneys, Wright, Gordon, Zachry & Parlin, for final allowances in the RKO reorganization proceedings.

Alger, who acted as special master during hearings on the plan, seeks an unspecified sum. The Chemical Bank asks for $48,057 and its attorneys for $25,000 for acting as trustee of RKO 6 per cent gold notes.

S. O. S. Acquires Firm

S. O. S. Cinema Supply Corp. has taken over International Theatre Accessories Corp., with which S. O. S. has been affiliated for some years. The latter recently absorbed Consolidated Theatre Supply Corp. No changes in management are planned.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Record-breaking business in Chicago and New York!

Paramount's

"THE GREAT VICTOR HERBERT"

with

Allan Jones • Mary Martin • Walter Connolly

Lee Bowman • Judith Barrett • Susanna Foster • A Paramount Picture • Produced and Directed by Andrew L. Stone • Screen Play by Russel Crouse and Robert Lively • Based on a Story by Robert Lively and Andrew L. Stone

Paramount Pictures

Latin America Boom Enjoyed By U.S. Films

By EDWARD GREIF

"American film companies will show a marked increase of billings in Latin America for 1939 and further increases can be expected this year." Charles Roberts, Columbia's Latin-American supervisor, said yesterday.

Roberts returned last week from a four-month trip through Havana, Brazil, Argentina, Chile, Peru and Mexico.

The upturn cannot be attributed solely to the war conditions in Europe, in Roberts' opinion, because American films "had a good head start earlier this year."

"The French, who used to send only selected product to Latin America and acquired considerable prestige thereby, are now trying to cash in on that popularity by sending everything they have to Latin America. The result is a falling off of popularity and consequent increased playing time for American product. Playing time will show further gains this year as the French and German product becomes less and less selective."

Roberts believes that American product, generally, had almost reached the saturation point in Latin America. In populous areas, the American film occupies the major portion of the time and distribution costs are too great in the interior regions to be worthwhile, he says.

Columbia plans to continue its policy of distributing films produced in Mexico City, he points out, because the five films produced there last year were satisfactory. Latin Americans are better equipped than Hollywood to produce special films for their own market, Roberts believes.

Roberts presided at the Buenos Aires convention from Dec. 14-16. Columbia plans to keep him in the field part of the time so that the home office may be in constant contact with distribution in Latin America. He will leave for Mexico City shortly.

Paramount Delays New Studio Plans

HOLLYWOOD, Jan. 8.—In view of the fact that its 1940-41 program will be reduced because the company has decided to cut out so-called "in between" pictures and limit next season's production to "A" films only, Paramount has temporarily shelved its plans for construction of a new studio.

Such a studio will not be immediately necessary since the present studio facilities will be ample to meet the requirements of a reduced schedule, officials said.

Y. Frank Freeman, Paramount vice-president, and Cliff Lewis, studio advertising and publicity director, will leave Jan. 19 on the Santa Fe Super Chief for New York conferences with Eastern executives.

Adolph Zukor, Paramount board chairman, left today on the Santa Fe Chief for New York where he will be joined by John W. Hicks, foreign department head. They will sail Friday on the *SS. Santa Elena* for Rio de Janeiro.

Hollywood Reviews

"Slightly Honorable"

(United Artists-Wanger)

HOLLYWOOD, Jan. 8.—As daffy a comedy as was ever made in Hollywood, Walter Wanger's "Slightly Honorable," produced and directed by Tay Garnett, becomes more so by virtue of its rather grim underlying current of violent death. From the flash of its opening title to the final fadeout, it is hilariously funny, despite the finding of a corpse now and then.

Pat O'Brien, fast talking attorney intent on ousting a crooked ring obtaining road contracts from the state, is "framed" for two murders by Edward Arnold, a politician, and his henchmen. The attorney, whose first query upon meeting an attractive girl is "Are you over 18?" manages to divert suspicion from himself time after time while exposing the politicians. At the climax he, in a desperate fight, accidentally kills the murderer. Ruth Terry, young night club singer who insists upon displaying an amazing naiveness as far as clothes are concerned, supplies the love interest. Broderick Crawford does nicely with his role as associate of the attorney. Alan Dinehart, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglas Dumbrille, Bernard Nedell, John Sheehan, Willie Best are some of the outstanding supporting players.

Ken Englund turned out a most smoothly flowing script from the adaptation, by John Hunter Lay and Robert Tallman, of the novel, "Send Another Coffin," by F. G. Presnell. Popular as the novel is, the film story transcends it.

Garnett gave it a sense of tenseness and levity, in a combination which has seldom been equalled.

Running time, 85 minutes. "A".* VANCE KING

"A" denotes adult classification.

"Remember the Night"

(Paramount)

HOLLYWOOD, Jan. 8.—Producing director Mitchell Leisen has imbued "Remember the Night" with a tenderness of human sympathy that makes for an ideal love story. It has heart-tug, drama, and an unusual story. This Paramount picture has for exterior display the names of Barbara Stanwyck, Fred MacMurray, Beulah Bondi, Sterling Holloway and a cast of sterling supporting players including Willard Robertson, in an outstanding role, Paul Guilfoyle, Snowflake, Tom Kennedy, Charles Waldron and Spencer Charters.

MacMurray, a young deputy district attorney in New York, furnishes bail bond for a pretty jewel thief, played by Miss Stanwyck, through an altruistic move so that she would not have to spend Christmas and New Year's holidays in jail. They meet outside when the bondsman mistakes MacMurray's idea, so the deputy drives her to Indiana to see her mother on Christmas. Her mother refuses to entertain her, so MacMurray takes her to spend the holidays at his mother's house, 50 miles away. After a week of holiday parties and small town celebrations, they return to New York, having fallen in love.

When the trial resumes, MacMurray attempts to throw the case, but the girl changes her plea to guilty. The end comes as the girl, faced with punishment for her crime, refuses a quick marriage and declares she'll marry him if he wants her when she ends her prison sentence.

The original screenplay of Preston Sturges is a moving portrayal of character, which will get sympathetic response from widely assorted audiences.

Running time, 92 minutes. "G".* VANCE KING

"Emergency Squad"

(Paramount)

HOLLYWOOD, Jan. 8.—Patently designed to round out a dual bill, "Emergency Squad" is satisfactory screen fare for those subsequent situations where the screech of a siren and the noise of an explosion constitute audience stimulation.

Seen as a cub reporter whose first story lands on the front page, with a byline, Louise Campbell gets to know the work of the Police Emergency Squad, and also helps to expose machinations causing explosions in a tunnel.

William Henry, Richard Denning, Robert Paige, Anthony Quinn and John Miljan also figure prominently in the screenplay by Garnett Weston and Stuart Palmer, based on an idea by Robert Musel and Michael Raymond.

recting.

Running time, 58 minutes. "G".* WALTER SELDEN

"G" denotes general classification.

125 N.Y. Films A Year! Vision Of La Guardia

(Continued from page 1)

no payment of extortionate or unconscionable bonuses," he assured the press.

The Mayor declared that a [illegible] was being made of the feasibility of erecting a "cinema city." He refused to name the sites under consideration because, he said, real estate values in those locations would jump. Pictures made here, he continued, would be as good as those produced in Hollywood.

Production will start gradually and increase slowly but surely, the Mayor stated. "Before very long, you will see individual pictures made here," he said, "and those pictures will be the foothills of our objective."

In concluding his interview, the Mayor said that he expected to work in harmony with Hollywood and that he realized that Western production had tremendous capital invested.

Ampa Drafts Drive Against Neely Bill

Ampa's Neely bill committee, meeting at the Hotel Astor yesterday, formulated a campaign which will seek to arouse opposition to the measure, expected to be acted upon in this session of Congress.

The committee tentatively decided to use three major channels of information: Trade papers, house organs of film companies and circuits, and broadsides to all industry employes. It is aimed to roll up a large number of protests to be registered with the House of Representatives.

Kenneth Clark, Hays office publicity director, informed the committee that the organization has no funds for a campaign of this nature and that no special appropriation can be made. The Ampa will therefore pay the expense of the campaign out of its own funds. Martin Starr, chairman of the committee, conducted the meeting.

Coast Guilds Ready To Fight Neely Bill

HOLLYWOOD, Jan. 8.—Representatives of the Actors, Writers and Directors Guilds met today to decide action against the Neely bill and send delegates to Washington to lobby against it. Final action is up to the boards of the individual Guilds.

Spokesmen pointed out that opposition to the proposed law is being made only on the basis that it will make for local censorship and hinder production through the requirement that synopses of pictures must be given to exhibitors before the product is sold.

Guilds, however, will take no stand on the block booking phase of the Neely bill until they have thoroughly familiarized themselves with it first.

Testifies in Boston Suit

BOSTON, Jan. 8.—John J. Ford of Maine and New Hampshire Theatres was recalled to the stand today to testify in the masters hearing of the Morse and Rothenberg anti-trust suit against the major film companies.

Radio Brevities

"I'm sorry we don't see as much as we used to, but there are reasons," is the way the war situation was summed up by Edward R. Murrow, chief London correspondent for CBS, speaking to William L. Shirer, CBS Berlin correspondent in the first direct conversation between the two war capitals since the outbreak of hostilities.

The correspondents discussed food supply, blackouts and general conditions. The conversation was arranged after a week's work by the network's special events department. The questions were prepared here and the correspondents submitted their answers to authorities of the respective countries before taking to the air.

From Germany the broadcast was sent to New York and then re-broadcast by short-wave to England. The same procedure was followed from London, a distance of 7,000 miles each way.

▼

The Committee for the President's Birthday Ball is repeating last year's experiment for use of recordings to obtain the cooperation of local stations. One-minute appeals are recorded and the stations are asked to spot them through the program as they see fit. Ten such recordings will be used, with Fred Allen, Paul Muni, Joan Crawford, Clifton Fadiman, Clem McCarthy, Elmer Davis, Benay Venuta and George V. Reilly, chairman, speaking. The tenth is yet to be selected.

▼

An unusual sponsor, in the form of a steamship line, has been signed by WABC. The Grace Line will sponsor Elmer Davis on Mondays, Wednesdays and Fridays at 6:30 P. M. in news broadcasts.

FM Broadcasters Will Incorporate

The new organization of industry figures interested in frequency modulation will be known as the F. M. Broadcasters, Inc., it was learned yesterday.

Dues of $300 per annum, starting as of Jan. 1, will be levied to provide funds for presentation of testimony at the FCC hearings on Feb. 28. Each station will be required to join separately.

John Shepard, of the Yankee network, will serve as chairman of the new group and Philip Loucks of Washington will be attorney. The corporation will be organized in Delaware with its main offices in Washington. J. R. Poppele, of WOR, will head the executive engineering committee.

Pictures on Sunday Win Jury Approval

Danville, Va., Jan. 8.—The Sunday film issue was virtually settled here when a jury of five held that Charles Abercrombie, local theatre manager, did not violate the State Sunday observance law by opening his theatre last Sunday.

This decision was the second during recent weeks in which a manager had been acquitted on the same issue.

Joan Blondell and Powell Signed for Para. Picture

Hollywood, Jan. 8.—Paramount has signed Joan Blondell and Dick Powell (wife and husband) to star in "I Want a Divorce," screen story based on the radio program of the same name. Powell will have a non-musical role. George Arthur will produce.

Mae Murray has been signed to star in Retsama Film Productions' picturization of "Chocolate," Tarasov-Rodionov's novel of present-day Russia. Henri Bellous will direct, at International Studios, starting Jan. 24. . . . John Huston is doing the screenplay for Warners' remake of "The Constant Nymph," which will star Merle Oberon. . . . Anne Shirley has been borrowed from RKO for the feminine lead of Warners' "Married, Pretty and Poor." Refusal to take the role has caused the suspensions of Jane Bryan and Olivia de Havilland.

Armand S. Cohn of All-Star Feature Distributors, San Francisco, has been awarded the Northern California franchise for Producers Distributing Corp. entire 1939-40 program, according to Ben Judell. . . . John King has been given a term contract by Monogram and gets the lead in "Arm of the Law," which T. R. Williams will produce. . . . Josephine Cottle, who as Gale Storm won a "Gateway to Hollywood" contest, gets a term contract from Towne and Baker for their "Tom Brown's School Days."

David Hempstead's first assignment as RKO producer will be "Kitty Foyl," Christopher Morley's best seller. . . . The National Education Association's committee on Motion Pictures, Department of Secondary Education, has named David O. Selznick a member of its advisory board.

Ann Sheridan will invite the audience to sing with her six old-time favorites in Warners' "It All Came True." She also will sing two additional numbers. . . . Bing Crosby and Mary Martin are scheduled to co-star in Paramount's "Ghost Music," original story by Billy Wilder and Jacques Thery. . . . William K. Howard has been given a term contract at Warners. . . . Ellen Drew gets the feminine lead in Paramount's "Destiny," in which Basil Rathbone, John Howard and Kitty Kelly have already been set. . . . Paramount has borrowed Ralph Bellamy from Columbia for "The Woman from Hell." . . . Leo Carrillo will appear with Wallace Beery in M-G-M's "Twenty Mule Team," in which Marjorie Rambeau will have a featured role. . . . A daughter, Margaret Ann, has been born to Mrs. Max Laemmle, wife of the film distributor. . . . Warners' latest title change for the picture based on the life of Dr. Ehrlich is "The Magic Bullet."

U. S. Officials Watch Ticket Tax Reports

Washington, Jan. 8.—Constant surveillance of the amusement industry is bringing into the treasury considerable sums of admission tax money which might otherwise be lost, it was disclosed today in the annual report of the Commissioner of Internal Revenue.

The report did not indicate that any great difficulty was being encountered in collecting proper taxes from film exhibitors, but intimated that ticket brokers and cabarets required close scrutiny.

Reduce Union Dues

St. Louis, Jan. 8.—John P. Nick, ousted boss of the operators' union, Local 143, took a salary of $125 a week, and his personal representative, Clyde A. Weston, paid himself $225 a week out of the union's funds, it was disclosed with the announcement that union dues will be reduced.

Legion Chief Guest At Preview of '69th'

Raymond J. Kelly, national commander of the American Legion, has accepted an invitation to be a guest of honor at the dinner and preview of "The Fighting 69th" at the Waldorf Astoria on Jan. 24. The dinner will be held by the 69th Regiment, New York, with the Warner film to be shown for the first time.

Col. William J. Donovan, war-time commander of the regiment, will be among the civic leaders and others who will attend. The occasion will commemorate the anniversary of the regiment's entrance into the front line in France during the World War, as the 165th Infantry.

Fox Schedules 52 Films for 1940-'41

(Continued from page 1)

pictures currently has given the whole industry an uplift and that this will be continued as films of a major caliber are on the way. In this category he mentioned "Gone With the Wind," "Hunchback of Notre Dame," "Pinnochio," "The Blue Bird" and "The Grapes of Wrath."

In presenting "Grapes of Wrath," says Wobber, all controversial angles will be avoided and it will be sold as a faithful picturization of the John Steinbeck novel.

In addition to the two-a-day engagement for "The Blue Bird" at the Hollywood on Broadway, starting Jan. 19, roadshows will start Jan. 26 at the Adams in Detroit and the St. Francis, San Francisco. Zanuck will leave the Coast Jan. 15 to attend "The Grapes of Wrath" opening at the Rivoli here Jan. 24 and "The Blue Bird" premiere. "The Grapes of Wrath" will be press previewed at the Normandie the night of Jan. 23.

Johnny Russell, who plays Tyltyl in the Maurice Maeterlinck fantasy, arrived yesterday from the Coast and will attend the New York opening. Shirley Temple, who has the lead in the film, will make her first stage appearance in connection with the San Francisco premiere.

"Wrath" Art in Museum

The six original lithographs done by Thomas Hart Benton for use in advertising 20th Century-Fox's "The Grapes of Wrath," have been hung in the Museum of Modern Art.

"THOU SHALT NOT KILL"
"But life is sacred, too. How can a priest become an accessory to the killing of a man—simply by keeping silent?"
Charles BICKFORD
OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

'Hunchback' Is Frisco Hit With $25,000

SAN FRANCISCO, Jan. 8.—Business reached a high for the past year with "The Hunchback of Notre Dame" soaring to $25,000 at the Golden Gate, and "Destry Rides Again" pairing with "The Amazing Mr. Williams" to get $15,000 at the Orpheum.

Estimated takings for the week ending Jan. 2-5:

"Hunchback of Notre Dame" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $25,000. (Average, $15,000)

"Destry Rides Again" (Univ.)
"The Amazing Mr. Williams" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days. Gross: $15,000. (Average, $8,000)

"Swanee River" (20th-Fox)
"The Honeymoon's Over" (20th-Fox)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $16,000. (Average, $16,000)

"Gulliver's Travels" (Para.)
"Our Neighbors, the Carters" (Para.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $11,000. (Average, $11,500)

"Raffles" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $7,700. (Average, $8,000)

"Everything Happens at Night" (20th-Fox)
"Cisco Kid and the Lady" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $14,500. Average, $12,000)

"The End of a Day" (Juno)
CLAY—(400) (15c-35c-40c) 7 days, 2nd week. Gross: $1,000. (Average, $1,000)

"Scipione L'Africano" (Foreign)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $1,200. (Average, $1,000)

'Swanee' Garners $11,000, Kansas City

KANSAS CITY, Jan. 8.—Good bills and the New Year's holiday gave first runs their best score in months. "Swanee River" made the best mark with $11,000 at the Esquire and Uptown. The weather was cold.

Estimated takings for the week ending Dec. 31-Jan. 4:

"Swanee River" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $5,000. (Average, $2,500)

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $10,800. (Average, $10,500)

"Gulliver's Travels" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)

"Hunchback of Notre Dame" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $8,700. (Average, $5,000)

"South of the Border" (Rep.)
TOWER—(2,200) (25c) 7 days. Stage: Alvena; Lowe, Hite & Stanley; the 2 Hollywood Coeds, and Barney Grant. Gross: $6,800. (Average, $5,000)

"Swanee River" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $6,000. (Average, $3,500)

Honor William Pullin

COLUMBUS, Jan. 8.—William Pullin, retiring chief barker of the Variety Club here, will be tendered a testimonial dinner Wednesday in the clubrooms. Following the dinner, newly elected officers of the club will be inducted.

Warned on Smoking

MOBILE, Ala., Jan. 8.—Managers of Mobile's theatres have been warned by Cliff W. Adams, city building inspector, to halt violations of the city ordinance prohibiting smoking in theatres.

Critics' Quotes . . .

"DESTRY RIDES AGAIN"

A ribald, rousing, vastly entertaining tale of the old West, the picture gets the New Year off to as smart a start as any film fancier could wish.—**Philadelphia Inquirer.**

Marlene Dietrich comes out of the Hollywood doghouse and gives her admirers a picture which is an example of something brand new in comedy.—**Philadelphia Bulletin.**

With its brawls and battles it may seem an unlikely vehicle for either Dietrich or Stewart, but the combination puts the film in the good entertainment class, especially for those who like their entertainment lusty.—**Philadelphia Record.**

A two-gun thriller of the old West. . . . James Stewart gives a splendid performance, and Marlene Dietrich puts plenty of vim and vigor into her part.—**Philadelphia Daily News.**

As the comeback star of 1939, we give you Marlene Dietrich, until recently a fugitive from a Josef von Sternberg icebox.—**Philadelphia Public Ledger.**

"GULLIVER'S TRAVELS"

Primarily for the younger generation, but many adults will enjoy it. . . . The political satire of Jonathan Swift's famous original is completely absent, and in its place is a fast, slapstick story told in the words of one syllable and decoration with pleasant melodies.—**Philadelphia Bulletin.**

"Gulliver" is not a second "Snow White." . . . Geared more to a juvenile than an adult audience. . . . It is certainly not the story Jonathan Swift intended. . . . What is left is a colorful fable.—**Philadelphia Public Ledger**

A thoroughly engaging affair and you're bound to be delighted with it. . . . It has a cast of merry and individual characters.—**Chicago Daily Times.**

"SWANEE RIVER"

"Swanee River" doesn't add appreciably to Darryl Zanuck's record as a film producer. It is a rather badly colored song-slide for a half-dozen of the more famous Foster tunes.—**N. Y. Times.**

Stephen Foster's folk songs have been made the center of a handsome but lethargic screen show in "Swanee River." . . . The songs are as engaging as ever. . . . The narrative is no more than a pig-in-a-poke plot.—**N. Y. Herald-Tribune.**

In all the splendor of color the unhappy life of Stephen Foster glows from the screen. . . . Genuine heartpull in the sadness and nostalgia of its theme and time. The film is rousing. You should not miss it.—**N. Y. Mirror.**

An elaborate and eye-filling picture in color. . . . Don Ameche gives an effective performance. It is a touching story, one that long will be remembered by those who see it.—**N. Y. Daily News.**

Daylight Saving Attacked in Frisco

SAN FRANCISCO, Jan. 8.—Local exhibitors have organized to fight passage of proposed statewide "daylight savings" law, which goes on the ballot at next general election. A drop in receipts of 25 per cent is predicted by Arch Bowles, president of the California Theatre Association, if the bill passes. Also opposing the bill is the local operators' union, and the musicians' local 6.

Affirm Eureka Dismissal

The U. S. Circuit Court of Appeals yesterday affirmed a decision which had dismissed the suit of Eureka Productions, Inc., against Raymond J. Mulligan, former U. S. Marshal, for $5,300 damages for alleged illegal confiscation of the film "Ecstasy." The dismissal had been directed by Federal Judge Conger in June, 1939, after a jury trial.

Heads Patent Committee

WASHINGTON, Jan. 8.—Rep. Charles Kramer of California has been named new chairman of the House patents committee which is in charge of copyright legislation due to be considered by Congress at this session. Kramer said that no hearings will be held on the proposed copyright law revisions until the end of next month.

2½ Million Trust Suit Filed by 7 Theatres

(Continued from page 1)

mount Pictures Distributing Company, Inc.; United Artists Corporation; Universal Film Exchanges, Inc.; RKO-Radio Pictures, Inc., and Columbia Pictures Corporation.

The film companies are accused of conspiracy and combination in restraint of trade in an effort to ruin the theatres. They are also accused of forcing the theatres to show inferior pictures and allowing them no first-run films.

The Winchester Theatre Company and its leaseholder, E. M. Loew's, Inc., filed suits against the Massachusetts Amusement Corporation, the Massachusetts Operating Company, Inc., and the Middlesex Theatre, Inc., operators of theatres in towns adjoining Winchester. They seek equal rights in showing films.

Metro Buys New Play

HOLLYWOOD, Jan. 8.—M-G-M has acquired the screen rights to the play, "The World We Make," by Sidney Kingsley, and currently on Broadway. Rights to Millen Brand's book, "The Outward Room," on which the play is based, are included in the contract.

'Herbert' Is Loop Smash With $52,500

CHICAGO, Jan. 8.—"The Great Victor Herbert," with Allan Jones and Mary Martin in person, did $52,500 at the Chicago. "Hunchback of Notre Dame" at the Palace drew $28,600. The weather was fair and cold.

Estimated takings for the week ending Jan. 3-6:

"Intermezzo" (U. A.)
APOLLO—(1,400) (25c-55c-75c) 7 days. Gross: $6,300. (Average, $6,000)

"The Great Victor Herbert" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Allan Jones and Mary Martin, in person. Gross: $52,500. (Average, $32,000)

"Four Wives" (W. B.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,700. (Average, $5,000)

"Charlie McCarthy, Detective" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Ted Lewis & Band. Gross: $20,700. (Average, $13,000)

"Hunchback of Notre Dame" (RKO)
PALACE—(2,500) (35c-55c-75c) 9 days. Gross: $28,600. (Average, $12,000)

"Gulliver's Travels" (Para.)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $16,400. (Average, $11,000)

"On Dress Parade" (W. B.)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: A. B. Marcus Revue. Gross: $18,600. (Average, $12,000)

"After the Thin Man" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $14,200. (Average, $14,000)

'Wind' Holds Smash Pace in Cincinnati

CINCINNATI, Jan. 8.—With inauguration of evening reserved seat policy, second week's gross for "Gone With the Wind" soared to a smash $30,500 at the RKO Capitol. "The Hunchback of Notre Dame" pulled $13,500 at the RKO Albee. The weather was near zero, with heavy snow.

Estimated takings for the week ending Jan. 3-6:

"The Hunchback of Notre Dame" (RKO)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $13,500. (Average, $12,000)

"Swanee River" (20th-Fox)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $11,000. (Average, $10,000)

"Barricade" (20th-Fox)
RKO SHUBERT—(2,150) (42c-60c) 7 days, plus New Year's Eve show. Stage: "Hellzafire." Gross: $16,000. (Average, $10,000)

"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1-$1.50) 7 days, 2nd week. Gross: $30,500. (Average at 35c-42c, $6,500)

"Destry Rides Again" (Univ.)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,300. (Average, $5,000)

"Buried Alive" (Prod. Dist.)
"The Man from Montreal" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,400. (Average, $1,500)

"Fugitive at Large" (Col.)
"Heaven With a Barbed Wire Fence" (20th-Fox)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)

"Judge Hardy and Son" (M-G-M)
KEITH'S—(1,500) (30c-40c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

Aid Halifax Sunday Film

HALIFAX, N. S., Jan. 8.—The Halifax Board of Trade has endorsed the movement for the opening of the local theatres on Sundays, for the balance of the war period. The provincial government is considering a petition asking that the theatres be allowed open.

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Out
Today

Edited by
TERRY RAMSAYE

A QUIGLEY
PUBLICATION

Loew's Sets Greater N.Y. 'Wind' Dates

First Greater New York showings of "Gone With the Wind" other than Broadway have been set by Loew's for Jan. 25 at the State, Newark, and the Jersey City Theatre, Jersey City, and Feb. 1 at the Metropolitan, Brooklyn.

The picture will thus be running at five theatres in the New York area at the same time, including the Astor and Capitol on Broadway.

The new engagements will follow M-G-M's general policy of two continuous unreserved performances, starting at 10 A. M., at 75 cents, with evening shows reserved at $1.10 top.

On Sunday there will be two reserved shows, afternoon and night, with $1.10 scale prevailing.

68 Engagements Now Set

Additional dates set yesterday brought the number of engagements to 68. There will be two simultaneous showings each in Miami and Detroit. The film will open Jan. 17 at the Sheridan, Miami Beach, where it will be shown twice daily on a reserved seat basis. On Jan. 18 the picture will open at the Olympia, Miami, three-a-day continuous.

John E. Flynn, M-G-M district manager at Detroit, yesterday worked out a deal with Division Manager Edward Saunders at the home office to open the picture Jan. 25 in two Detroit theatres. The Wilson, legitimate house, will have two-a-day engagement and the United Artists the three-a-day showing. The United Artists is operated by United Detroit Theatres, a Paramount affiliate, and is the regular M-G-M outlet in Detroit.

Other Dates Announced

Additional dates set are: Jan. 25, Lincoln, Lincoln, Neb., three-a-day; Jan. 26, Midwest, Oklahoma City, three-a-day; Jan. 29, Capitol, Charleston, W. Va., and Gloria, Charleston, S. C., three-a-day, and Feb. 1, Rialto, Williamsport, Pa., two-a-day reserved.

Orders totaling $1,500 for the Newark and Jersey City engagements were on hand yesterday before the ticket sale started. At Loew's Rochester in Rochester the advance orders totaled $6,500, swelled by block reservations made by employes of the Eastman Kodak Co. The Century, Baltimore, had orders for $3,700 before the sale started Sunday.

In Philadelphia, where the film will open Jan. 18 at the Boyd and a day later at the Earle, the advance sale yesterday totaled $22,000. Heavy reservations are reported for other forthcoming openings.

'Wind' Deal Being Set For Second Chicago House

CHICAGO, Jan. 8.—Deal for the showing of "Gone With the Wind" on a two-a-day policy at the Esquire theatre here will be closed probably tomorrow, it was learned today. The Esquire is operated by Harry and Elmer Balaban, whose circuit is not affiliated with Balaban & Katz. The picture opens at the Oriental in the Loop on Jan. 25 on a three-a-day basis.

Saints and Sinners To Induct Hersholt

Jean Hersholt, RKO player, will be inducted as a "fall guy" by the Circus Saints and Sinners at their session tomorrow at the Hotel Astor. He will be subject to the usual ribbing by Main Guy Harold Hoffman and Equestrian Director Tex O'Rourke. Hersholt will be the first dramatic film actor thus honored by the Saints and Sinners.

TMAT Aims Drive At 87 N.Y. Theatres

(*Continued from page* 1)

ing a new attitude in the case of eight Brandt houses and proposes to bargain separately in each of eight houses. These houses are the Town, Waldorf, Windsor, Park, Terrace, Liberty, Times Square and Apollo, all in Manhattan.

However, in the case of the Prudential circuit, with 30 houses, Raybond with 12, Rugoff & Becker with 13, and Windsor with 3, the union plans to treat the circuits as a whole. Other houses where the union is seeking negotiations are the Bronx Opera House, De Luxe, Brooklyn, Star, Bronx, Jewel, Brooklyn, and Stanley, Manhattan.

Error by Mayor, But He Apologizes

(*Continued from page* 1)

fusion. A spokesman for Kate Cameron, *Daily News* critic and head of the organization, declared that the award was given to the film, of which Marcel Pagnol was producer, and that Heyman, who holds the American distribution rights, was in no position to refuse it.

After receiving the mayor's letter, however, Heyman agreed to accept the award. He explained his original bitterness by setting forth "the history of the film, the ban, the long fight to obtain its release, the victory over the censor, and the inevitable struggle to overcome Hollywood pressure." He ended by inviting the mayor and Mrs. LaGuardia to see the film and presented them with a pass.

Incidentally, the mayor surprised his audience Sunday by making no reference to Eastern film production. He referred to Hollywood as "the greatest center in the whole world for moving pictures."

Bill Legalizing Bingo To Assembly Today

ALBANY, Jan. 8.—A bill intended to legalize Bingo, including theatre participation, will be introduced tomorrow in the Assembly by Aaron Goldstein of New York City. Assemblyman Louis Bennett, Bronx, tonight re-introduced his chain store taxation bill, this time exempting theatre circuits, however.

'U' Officials on Coast

HOLLYWOOD, Jan. 8.—J. Cheever Cowdin, Nate Blumberg, Joseph Seidelman and W. A. Scully arrived at Universal today for extended conferences on 1940-'41 product.

Lasky Returning As Producer, Sets Radio Talent Films

(*Continued from page* 1)

During the 13 weeks that each of the three broadcast series is on the air, the programs will be an advertising and exploitation medium for both the new talent and the picture to follow.

Whereas the Gateway to Hollywood program heretofore has been confined to the discovery of juvenile leads only, the new broadcast series will be open to talent of all kinds and ages, Lasky said.

Lasky believes his utilization of radio to be of the greatest practical benefit to the film industry. He pointed out that he employs it not only as the medium for discovery of new film talent but also for the creation of immense interest in pictures and general industry good will.

"I plan to use 13 weeks each Summer in touring the country to interview talent prospects," he said. "While doing this last year, I met scores of theatre managers operating all types of theatres and came in contact with thousands of theatre patrons. I learned that audience film tastes are on a high plane. There is great interest in films based on the classics and those of biographical and historical content.

"I firmly believe that all producers should spend a few months of every year acquainting themselves with the film preferences of theatre managers and the public," Lasky said.

Sears Tours South On Drive Mission

HOLLYWOOD, Jan. 8.—Gradwell L. Sears, Warners distribution head, took a plane today to Dallas where he will confer with Robert O'Donnell of the Interstate circuit and Robb and Rowley on product deals. Afterward he will go to New Orleans, Atlanta and Charlotte to meet branch managers and salesmen on the fourth annual Sears drive. S. S. Schneider, with whom he came to Hollywood, heads for New York later this week.

Labor in Hollywood Mourns Al Berres

HOLLYWOOD, Jan. 8.—Labor circles here were saddened today by the news of the death Sunday night at Washington, D. C., of Al J. Berres, veteran figure in studio labor activities. He was first secretary of the producers-Internationals committee on basic studio labor agreement and for 16 years was a member of the American Federation of Labor executive board.

Chapman Ampa Speaker

John Chapman, columnist for the New York *Daily News*, will speak at the Ampa luncheon meeting Thursday at Stouffer's Restaurant. New members will be in charge of the meeting. Chapman is scheduled to exchange places with Ed Sullivan in Hollywood on July 1.

Hoffberg Gets Two

Hoffberg Productions, Inc., has acquired distribution rights here to two French pictures, "The Strange Mr. Flow," featuring Fernand Gravet and Louis Jouvet, and "The Golem," starring Harry Baur

1940 to Solve Big Problems, Believes Kent

"There are no problems within our industry that cannot be ironed out," Sidney R. Kent, president of 20th Century-Fox, told executives and employes of that company in a New Year's message over the weekend.

"This New Year will decide much that is undecided today," he said.

"We must approach each other's problems with mutual understanding, and with a sincere appreciation that each is dependent upon the other for constructive, lasting business existence.

"We know bigger and greater entertainments than ever will be necessary to command the patronage the industry must get.

Hails Great Pictures

"Twentieth Century-Fox enters 1940 with an appreciation of not only our own problems, but those of exhibitors. And we know there is no problem that good, money making business-building pictures will not solve.

"A company with a studio that can turn out such great pictures as 'Grapes of Wrath,' 'The Blue Bird,' 'Little Old New York,' and many others is not easily disturbed.

"We want to earn our way in 1940—and every year. But we want contracts made in good faith to be carried out in the same spirit. We are content to place our product on its merit.

'Suicidal to Sacrifice Quality'

"We are a sound company; we are in the soundest condition of any in the business. We intend to stay in that condition.

"When we planned the budget for 1939-40, there was fear of war, but none believed it would actually come. Notwithstanding war, that budget based on domestic plus foreign expectancy, remains the same for it would be suicidal to sacrifice quality, or to ignore the fact that never before has there been more imperative need for the best possible box-office pictures. We know it would be foolish to take any step that would threaten the quality of our product."

Buffalo Grievance Committee Formed

BUFFALO, Jan. 8.—Edmund Souhami, counsel for New York State Allied, was here today to sanction appointment of a grievance committee for Allied in this district.

The committee, headed by Herman Lorenz, will include Paul Grummett, Marvin Atlas, Herbert Hoch and Raymond Pashley, the latter two to act as alternates.

Minna Rosen, one of Buffalo's four women motion picture theatre operators, was unanimously elected secretary of the Buffalo unit. She and Souhami jointly presided over the meeting.

Warner Product Deal

Warner Brothers has closed a product deal with the Colorado Corp., operating 11 theatres in and around Los Angeles.

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First in Film and Radio News Brief, Accurate and Impartial

47. NO. 7 NEW YORK, U. S. A., WEDNESDAY, JANUARY 10, 1940 TEN CENTS

Stanley Shift May Imperil Film Finance

Successor's Trade Views Are Not Known

By AUBREY FLANAGAN

LONDON, Jan. 9.—British film trade circles are disturbed and somewhat apprehensive about the status of proposed plans for the financial support of the industry as the result of the transfer of Oliver Stanley from presidency of the Board of Trade to Secretary of State for War.

Last week it was authoritatively learned that the Government intended to organize a Film Credits Bank, backed by Treasury money and without participation of the City.

There was considerable conjecture today as to whether the selection of Sir Andrew R. Duncan as Stanley's successor will have any important effect upon all of Stanley's financing plans which the industry looked upon with favor.

A deputation of exhibitors will ap-

(*Continued on page* 8)

New I.A. Demand; Producers Yield

HOLLYWOOD, Jan. 9.—Threat of a strike by I. A. T. S. E. workers hung over Hollywood today, but was dispelled by agreement of producers to adhere to the Alliance locals' jurisdictions and schedules.

This morning William Bioff, I. A. T. S. E. leader, gave producers until noon to set the date for an early meeting to discuss reports of asserted "chiseling." Joseph M. Schenck and a producers' committee met with him and business representatives of 10 Alliance locals this afternoon to settle the dispute.

Bioff, after the conference, through a spokesman declared that producers had agreed to respect unions' intramural jurisdictional lines and schedules and that all was well again. The union claimed that since the recently-granted 10 per cent wage increase, producers were using laborers to do grips' work, grips to do gaffers' work and paying them lower scales for the work they did.

Tomorrow business representatives of Alliance locals will present full jurisdictions and schedules to Pat Casey and Fred Pelton, producer-labor contact officers, who then would forward to all studios orders to maintain them.

Allied Board Calls Meeting Jan. 17-18

Washington, D. C., Jan. 9.—Board of directors of National Allied were summoned today to attend a meeting at the Carlton Hotel here on Jan. 17 and 18. Many important problems will be discussed.

Order by Bondy To Transfer RKO Assets By Feb. 1

RKO may emerge from the supervision of the trustee and the District Court before the end of the month, it was indicated at a hearing before Judge Bondy yesterday when the court was told that an order providing for the transfer of all assets from the Irving Trust Co. to the new company would be submitted Friday.

The order which becomes effective three days after the court's approval will in all likelihood be signed before Feb. 1. In addition, a number of other orders providing for the virtual windup of other phases of the reorganization proceedings will be submitted on the same day by Simpson, Thacher & Bartlett, attorneys for Atlas Corp. and the Irving Trust.

Atlas will receive $102,000 as its total compensation for underwriting the new RKO stock issuance, it was disclosed yesterday. Rockefeller Center has subscribed for 163,629 shares and other creditors for 87,099 shares. The American Co., Atlas subsidiary, has taken 77,871 shares, leaving a balance of 171,401 to be picked up by Atlas as unsubscribed.

RKO will receive $1,398,000 for

(*Continued on page* 5)

TMAT Loses First Labor Board Vote; Challenges Ballots

In the first test of its power in New York State, the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union was defeated in both parts of an election held by the State Labor Relations Board yesterday for the Endicott Circuit of 11 theatres (Nelson & Renner), according to Melvin A. Albert, attorney for Endicott.

The result was not announced officially by the board because a number of the votes were challenged.

The vote was for the designation of the collective bargaining agency for managers and assistants in the first part of the balloting, and for ushers, cashiers, doormen and matrons in the second.

The vote, according to Albert, was 10 against the union and five for, with five challenges, in the first part, and 33 against and 29 for, with two challenges, in the second.

In addition, the union insisted that 11 former employes of the Howard, Brooklyn, be permitted to vote. These

(*Continued on page* 5)

Academy Research Post Given Zanuck

HOLLYWOOD, Jan. 9. — Darryl F. Zanuck today was appointed chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, succeeding William Koenig. He will direct the cooperative technical program of the Council during 1940 and represent producing companies. Companies each have one technical representative on the Council. Thirty-one committees studying various technical improvements are functioning.

3-Yr. Contract To Two Chiefs Of Monogram

Loach Chosen Treasurer; Weeks Retiring

By SAM SHAIN

At the urgent request of franchise holders who desire to assure the permanency of the management, W. Ray Johnston and Scott R. Dunlap, president and vice-president in charge of production, respectively, of Monogram yesterday were given three-year extensions of their contracts.

The action was taken at a meeting of the Monogram board of directors during a five-and-a-half-hour session last night at the company's home offices. Various policies of financing and production were discussed and approved.

George Weeks Retiring

George W. Weeks, vice-president in charge of sales, is retiring from the firm. His duties will be taken over by Edward A. Golden, who becomes general sales manager. Golden will relinquish his title of vice-president.

Thomas P. Loach, vice-president of Pathe Film Corp., was elected treasurer. He will fill the vacancy caused by the resignation of Leon Fromkess. T. Scheiber of the accounting

(*Continued on page* 8)

Movietone Shows Warship, Air Fight

Movietone News mid-week issue released yesterday has an exclusive of the first films of a warship-plane battle at sea. The clip, running 159 feet, shows a Nazi bomber attacking a British cruiser on blockade patrol somewhere in the North Sea.

Bombs are shown bursting around the warship, and the plane zooms out of sight as the ship's anti-aircraft guns go into action. The commentary, spoken by Lowell Thomas, poses the question whether air attack can defeat sea power and says that the engagement fails to give an adequate answer.

Movietone officials said that the film is an outstanding example of 16mm pictures taken under adverse conditions. They were taken by an officer on board the warship and purchased by the newsreel in London after they were censored. Name of the cruiser and location of the engagement are not disclosed.

Film Chiefs Attack Mayor's 27% Revenue in N.Y. Claim

Major company distribution managers were wondering yesterday where Mayor LaGuardia obtained the impression that New York City is a 27 per cent revenue territory for the film industry.

They regard the Mayor's figure as about three times too high on any of three bases of computation: Box-office gross, film rental returns or return on capital investment.

Mayor LaGuardia, in a trade press interview at City Hall on Monday, stated that New York City was entitled to 27 per cent of the industry's total production output since it contributed that percentage of film revenues.

Distribution executives, on the other hand, asserted yesterday that New York City accounts for not more than 10 per cent of the industry's annual domestic box office; about 10 per cent of its domestic film rental and represents not more than 10 per cent of its capital investment in the United States.

Several distribution executives figure the New York City distribution

(*Continued on page* 2)

Attack Mayor's 27% N.Y. Revenue Claim

(*Continued from page* 1)

zone as a 12½ per cent quota territory. The zone, however, includes adjacent New Jersey territory, all of Westchester County and Long Island counties in addition to Kings and Queens, leaving an approximate 10 per cent for the city itself.

This should reduce the Mayor's production quota of 125 pictures which he believes should be made in the East every year, to about 42 pictures annually.

However, one distribution executive commented, if revenue origin is a valid reason for bringing production to New York, it can be advanced by any community, anywhere, which happens to want pictures produced locally. They all contribute to our revenue and the upshot would be 100 or more studios throughout the country, he said.

Another executive said:

"Mayor LaGuardia usually has a good reason for anything he asks for. For some unknown cause, on his campaign for bringing production to New York, he has not offered a single good reason yet."

Judge 'Only Angels' Exploitation Today

Judging of campaigns on "Only Angels Have Wings," for Columbia's prize contest which started May 25, 1938, will take place at a luncheon today at the Astor.

Judges are Jack Alicoate, Maurice Kann, Charles Lewis and Martin Quigley. A-Mike Vogel and Gertrude Merriam of MOTION PICTURE HERALD's Managers Round Table will be present. Columbia will be represented by Jack Cohn, A. Montague, N. B. Spingold, Maurice Bergman, Hortense Schorr, Frank McGrann and Frank Rosenberg.

The competition was open to all theatre managers and advertising men.

Film Alliance Sets Distribution Plans

Norman Elson, sales manager for Film Alliance of the U. S., left yesterday for visits to Pittsburgh, Cleveland, Detroit, Chicago and Boston.

The company has completed its national distribution plans, with branches established in leading exchange centers. Two current releases of the company are "Treachery on the High Seas" and "The Face Behind the Scar."

J. R. Grainger Back; Visited 16 Branches

James R. Grainger, Republic president, returned yesterday after a five-week trip during which he visited 16 company branches and spent the holiday with his family in Los Angeles. On his return Grainger visited Dallas, New Orleans and Atlanta, traveling by plane.

Guaranteed Gets Two

Guaranteed Pictures Co. has acquired foreign distributing rights of the two films, "Tomorrow's Children" and "High School Girl." Special foreign versions are being prepared in French, Spanish and Portuguese.

Purely Personal

CHARLES E. McCARTHY, 20th Century-Fox advertising and publicity director, was home with the grippe yesterday.

•

JOHN HAMRICK, general manager of Hamrick-Evergreen Theatres on the Pacific Coast, and **MRS. HAMRICK**, who have been visiting here, leave Sunday for Florida. They then will visit Palm Springs and return to Seattle late in March.

•

MRS. OLGA HANNA, wife of **JOHN HANNA**, M-G-M checking supervisor in Cleveland, recently became the mother of a girl in Cincinnati, her home town.

•

TOM PETTEY, press representative for the M. P. P. A., left for Hollywood by train last night after a week's visit at M. P. P. D. A. headquarters here.

•

MAX MARGOLIS, Cincinnati Republic branch manager, has returned from a vacation in Florida, where he went on account of his health.

•

JANE WITHERS, 20th Century-Fox star, started a six-week personal appearance tour this week at the Circle in Indianapolis.

•

G. L. CARRINGTON, Altec vice-president and general manager, is back at his desk after a trip to Detroit and other midwest cities.

•

DON WAHL has been appointed ad sales manager at the 20th Century-Fox exchange in Memphis.

•

ERNEST MORRELL, M-G-M transportation manager, observes a birthday tomorrow.

•

JOSEPH BERNHARD, general manager of Warner Theatres, returned to the home office yesterday from the Coast.

HAROLD GOLDBERG, director of advertising and publicity for Warner Theatres, addressed the Pennsylvania College for Women and the annual convention of the Council of Jewish Women in Pittsburgh yesterday on "Audiences, Not Hollywood, Make Pictures." He is due back today.

•

JACK ELLIS of RKO returned from Miami yesterday. Among those vacationing there, he reports, are **MR. AND MRS. WILLIAM SUSSMAN, MITCHELL MAY, JR., GEORGE JESSEL, AL JOLSON, RUDY VALLEE, ARLENE JUDGE, MICKEY ROONEY, HARRY RICHMAN** and **LOUIS SCHNEIDER**, New York exhibitor.

•

JOHN D. HERTZ, JR., GEORGE DEMBOW, JERRY HORWIN, CHARLES WASHBURN, J. EDWARD BROMBERG, LEE SHUBERT, ROBERT MILTON, HARRY KAUFMAN, JIMMY SAVO and **PHILIP HUSTON** lunching at Sardi's yesterday.

•

JOHN HICKS, RUSSELL HOLMAN, WALLY OWEN, TOM CONNORS, ED SAUNDERS, TED O'SHEA and **A. P. WAXMAN** at Nick's Hunting Room in the Astor for lunch yesterday.

•

INGRID BERGMAN, Swedish actress, arrives from Europe Friday on the *Rex* en route to the Coast.

•

ABE BLUMSTEIN of the 20th Century-Fox exchange is back from Miami.

•

MACK LITTMAN returned from the Coast yesterday.

Zukor, Hicks Sail On Friday for Tour

Adolph Zukor, Paramount board chairman, will arrive from Hollywood tomorrow and will sail on the *Santa Elena* Friday with John W. Hicks, vice-president and foreign department head, for a two-month business goodwill tour of Central and South America.

Their itinerary includes Cristobal and Balbao, Panama; Buenaventura, Colombia; Guayaquil, Ecuador; Talara, Salaverry, Callao and Molendo, Peru; Arica, Antofagasta, Chanaral, Valparaiso and Santiago, Chile; Buenos Aires, Argentina; Montevideo, Uruguay; Santos and Rio de Janeiro, Brazil, and Trinidad, B.W.I.

They are scheduled to return to New York March 18 on the *Uruguay*.

Walsh on Boston Stand

BOSTON, Jan. 9.—Testimony of John J. Ford of Maine and New Hampshire Theatres was continued throughout most of today in the anti-trust suit against major film companies. George C. Walsh, president and general manager of Necto Theatres Corp. of New York, subsidiary of Paramount, was sworn in late in the day, and will continue tomorrow. Walsh has direct charge of 15 theatres in the state.

Levy to Hollywood To Start Producing

Jules Levy, former RKO sales manager, left for the Coast by train last night to begin production of "The Boys from Syracuse," the first picture to be made by his new Mayfair, Inc., producing company for Universal release.

Prior to his departure Levy said that in addition to the Ritz Brothers several others have been signed for the initial production and that he would announce those following his arrival on the Coast. He will confer there with Nate J. Blumberg, Universal president, and studio officials on further production plans for Mayfair.

Deny Dismissal Plea In John Nick Trial

ST. LOUIS, Jan. 9.—A defense motion for the dismissal of the extortion charge against John P. Nick, deposed head of the local operators' union, on the ground the state would fail to prove the charge was overruled today by Circuit Judge Thomas Rowe.

Testimony then began in the second day of Nick's fourth trial on the charge. James A. McKeown, receiver for the union, and Albert Friedland, a member of the union, were the first witnesses called by the state.

Henry T. Binder Dead

XENIA, O., Jan. 9.—Henry T. Binder, who operated the Orpheum here until he recently disposed of his interests to Chakeres Theatres, Inc., Springfield, died at his home. He had been blind for a number of years.

N.Y. Sales Tax Bill Given No Chance

ALBANY, Jan. 9.—Informed quarters here see practically no chance for passage in its present form of the retail sales tax measure proposed by Senator William Bewley and Assemblyman Maurice Whitney. The measure calls for a levy of one cent on each 10 cents of admissions over 50 cents, with an exemption for tickets up to that figure.

The measure also provides that season passes be taxed, and that tickets carry the name of the theatre and the ticket maker. Exhibitors might benefit from a sales tax bill carrying the real estate provisions of the Bewley-Whitney measure, which calls for a lowering of the real estate tax at least 10 per cent in the fiscal year preceding the imposition of the retail tax.

Seek Union of N.Y. Publicity, Ad Staffs

Members of film companies' publicity and advertising departments received yesterday by mail an anonymous notice for a meeting of "The Screen Publicists and Advertisers Association" at the Piccadilly Hotel tomorrow at 8 P. M.

The notice says home office employes have been organizing a union similar to the Screen Publicists Guild on the Coast which recently obtained a contract with wage increases from the studios.

The New York union, according to the notice, has "already obtained a majority of eligibles in a number of companies." The notice is signed by "the executive committee," but no names are given.

Warners Combine New York Branches

New York, New Jersey and Brooklyn branches of Vitagraph, Inc., distribution organization of Warners, formerly operating as separate exchange units with offices at the Warner home office, have been merged into a single unit.

Roy Haines, Eastern and Canadian sales manager, has appointed Sam Lefkowitz, former office manager of the three exchanges, as branch manager of the new branch, which will be known as the New York Metropolitan exchange.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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TODAY!

Special M-G-M Flash!

Ernst Lubitsch directing a scene with Margaret Sullavan and James Stewart!

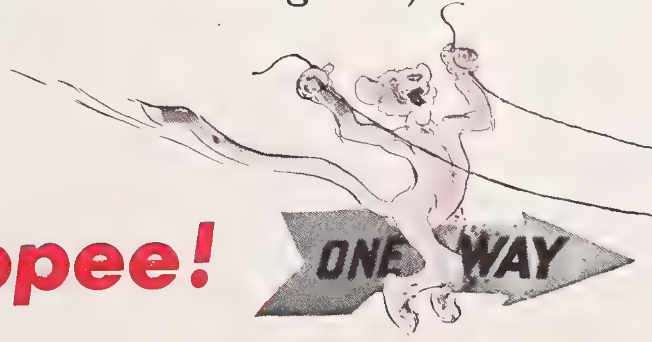
MARGARET SULLAVAN • JAMES STEWART in The Ernst Lubitsch Production **"THE SHOP AROUND THE CORNER"** with Frank Morgan Joseph Schildkraut • Screen Play by Samson Raphaelson • Produced and Directed by Ernst Lubitsch A Metro-Goldwyn-Mayer Picture

Quickly Mr. Exhibitor!
Tell your patrons about M-G-M's

"THE SHOP AROUND THE CORNER"

It's a dream! It's a honey! It's BOX-OFFICE!
Opening soon at Radio City Music Hall!
Thank you Mister Lubitsch!
While the folks are still howling over "Ninotchka"
You deliver another hilarious hit!
You know what laughter means these days:
It means escape from the world's woes—
And it means lines at the box-office for every Tom, Dick and Mabel in town. And it's a grand love story between sweet Margaret Sullavan and James (*"Mr. Smith Goes to Washington"*) Stewart.

Whoopee!



M-G-M!

Newsreel Parade

Newsreels' midweek issues picture the wars in Europe, appointments made by President Roosevelt, Winter sports and other events. Reels and their contents follow:

MOVIETONE NEWS, No. 35—British cruiser battles Nazi plane. Finn troops on Mannerheim Line. Ice breaking on the Hudson. Motorboat show in New York. Air meet in Miami. Ice ballet in Chicago. Murphy named for Supreme Court post; Robert Jackson to succeed Murphy. Mrs. Roosevelt opens drive on infantile paralysis. Ice boating in New Jersey. Ski jumping at Bear Mountain.

NEWS OF THE DAY, No. 233—Finn patrol captures Russian invaders. King George ends visit to France. British North Sea Patrol battles storm. Frank Murphy and Robert Jackson named to higher posts. Aviation show in Miami. Mrs. Roosevelt urges aid for paralysis victims. Ice boating. Harness trotting.

PARAMOUNT NEWS, No. 38—All-American air meet in Florida. Survivors of storm at sea arrive in Japan. Eileen Herrick weds George Lowther. Roosevelt names new officials. Women work in British aircraft factories. British Cabinet crisis. British parents visit children evacuees in country. Finns stop Russian drives. Air raids take toll in Helsinki. Ice skating at Central Park. Ice yachting in Red Bank. Ski jump tournament at Bear Mountain.

RKO PATHE NEWS, No. 50—Roosevelt makes new appointments. Eight U. S. liners sold to Norway. Hore-Belisha quits Britain's Cabinet. Naval bill hearing in Washington. Dutch wooden shoe industry booms. Women in infantile paralysis drive. Miami air meet.

UNIVERSAL NEWSREEL, No. 839—Air raids damage Helsinki. Ship planes to Finland. French chateau converted into hospital. Stunt flying in Miami. Niagara Falls freezes. Murphy named to High Court. Nightgown fashions. Motor boat show at Grand Central Palace. Skiers at Bear Mountain. Ice boating.

'Hunchback' Pulls $19,500, Cleveland

CLEVELAND, Jan. 9.—"The Hunchback of Notre Dame" attracted $19,500 to Warners' Hippodrome. "Gulliver's Travels" drew $6,500 at Loew's Stillman.

Estimated takings for the week ending Jan. 4:

"Four Wives" (W.B.)
ALLEN — (3,000) (30c-35c-42c) 7 days. Gross: $3,000. (Average, $4,000)

"The Hunchback of Notre Dame" (RKO)
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $19,500. (Average, $11,000)

"Joe and Ethel Turp Call on the President" (M-G-M)
RKO PALACE — (3,100) (30c-42c-55c) ($1.50-$2 New Year's Eve) 7 days. Stage show. Gross: $20,000. (Average, $14,000)

"Balalaika" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $14,000. (Average, $14,000)

"Gulliver's Travels" (Para.)
LOEW'S STILLMAN — (1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)

'Hunchback' Draws $13,000 in Montreal

MONTREAL, Jan. 9.—"The Hunchback of Notre Dame" drew $13,000 at the Palace.

Estimated takings for the week ending Jan. 6:

"The Great Victor Herbert" (Para.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $5,500. (Average, $8,000)

"First Love" (Univ.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)

"Of Mice and Men" (U.A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,300. (Average, $5,000)

"The Hunchback of Notre Dame" (RKO)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $13,000. (Average, $10,000)

"Everything Happens at Night" (20th-Fox)
"The Escape" (20th-Fox)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $5,300. (Average, $5,500)

Critics' Quotes . . .

"BALALAIKA"

Tasteful, tuneful and thoroughly artificial, serves as a nostalgic reminder of less troubled days . . . Beautifully and lavishly produced . . . Acted with appealing lack of pretense.—**Philadelphia Inquirer.**

To put it mildly, Ilona Massey look like the "oomph" girl of 1940 . . . Another thing we like about "Balalaika" is its dependence on familiar music . . . There are a few things in the picture to which exception may be taken, one of them being the plot. It isn't bad—but it's old.—**Philadelphia Evening Ledger.**

A musical feast is provided . . . The beauty, talent and charm which is Ilona Massey's, evidence her right to her newly-acquired place among the Hollywood stars . . . An elaborate production.—**Philadelphia Daily News.**

The newcomer is a fairy-princess beauty, blonde, feature-perfect and exceedingly graceful . . . Her speaking voice has an engaging accent and her singing voice, sometimes lyric, is weak but melodious.—**Philadelphia Record.**

This yarn of old Russia is such a story-bookish thing you can forget all about it and concentrate on the song and blonde beauty of Ilona Massey.—**Philadelphia Evening Bulletin.**

Ilona Massey is a beautiful, blonde singing star . . . The picture is a gay and glamorous musical . . . It is a very happy sort of entertainment . . . It is Miss Massey who tops the show.—**Kansas City Star.**

"THE FIGHTING 69TH"

As stirring and goose-pimple-producing as the exciting sound of marching feet . . . A timely cinema that is, aside from its excellent entertainment value, a fine celluloid document to promote peace for all nations.—**Los Angeles Herald and Express.**

This Warner picture is daring . . . and found the audience attentive and quite evidently fascinated . . . A lusty narrative of soldiering that is best in its larger scenes of action.—**L. A. Times.**

This action drama is not so much a preachment as an indictment against war . . . It isn't a pretty picture, we promise you, but it's a powerful one.—**L. A. Examiner.**

'Swanee' at $15,000 Leads in St. Louis

ST. LOUIS, Jan. 9.—Sub-freezing weather was a major factor in the low grosses registered by the theatres here last week, and New Year's Eve business, with 65-cent top, wasn't sufficient to pull them up. "Swanee River" drew $15,000 at the Ambassador.

Estimated grosses for week ending Jan. 4:

"Swannee River" (20th-Fox)
"Reno" (RKO)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $15,000. (Average, $11,500)

"Destry Rides Again" (Univ.)
"Our Neighbors, the Carters" (Para.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $12,500. (Average, $11,000)

"Balalaika" (M-G-M)
LOEW'S — (3,162) (25c-40c-55c) 7 days. Gross: $15,000. (Average, $13,000)

"Everything Happens at Night" (20th-Fox)
Charlie McCarthy, Detective" (Univ.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $6,500. (Average, $4,000)

'Swanee' at $9,300 Indianapolis Lead

INDIANAPOLIS, Jan. 9.—"Swanee River" and "Two Thoroughbreds" were out in front here, giving the Indiana $9,300. All first runs did well, despite below-zero temperatures in the coldest weather in four years.

Estimated takings for the week ending Jan. 5:

"Four Wives" (W. B.)
APOLLO—(1,100) (25c-40c) 7 days. 2nd week. Gross: $2,800. (Average, $2,500)

"Gulliver's Travels" (Para.)
CIRCLE—(2,800) (25c-40c) 7 days. 2nd week. Gross: $5,400. (Average, $6,000)

"Swanee River" (20th-Fox)
"Two Thoroughbreds" (RKO)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $9,300. (Average, $5,000)

"Balalaika" (M-G-M)
"Blondie Brings Up Baby" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $7,000. (Average, $7,000)

"The Cisco Kid and the Lady" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: "Laugh Factory." Gross: $12,500. (Average, $8,000)

'Hunchback' Pulls $11,500, Providence

PROVIDENCE, Jan. 9.—All houses ran well above average, the holiday prices on the New Year weekend and midnight shows boosting the grosses. Still a standout was "The Hunchback of Notre Dame" at the RKO-Albee, taking $11,500.

Estimated takings for the week ending Jan. 2-4:

"The Hunchback of Notre Dame" (RKO)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $11,500. (Average, $6,000)

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $13,400. (Average, $11,000)

"Swanee River" (20th-Fox)
"One Hour to Live" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $9,500. (Average, $7,000)

"Gulliver's Travels" (Para.)
"Main Street Lawyer" (Rep.)
STRAND—(2,100) (25c-35c-50c) 7 days, 2nd week. Gross: $7,500. (Average, $6,000)

"Destry Rides Again" (Univ.)
FAY'S (1,800) (25c-35c-40c) 7 days, 2nd week. Stage show with Frank Gaby; Billy Wells and the Four Fays; Ross and Edwards; Smiles and Smiles; 10 Liazeed Demons. Gross: $7,500. (Average, $6,500)

"Judge Hardy and Son" (M-G-M)
"Fugitive at Large" (Col.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $4,200. (Average, $3,500)

"The Roaring Twenties" (W. B.) (3 days)
"Too Busy To Work" (20th-Fox) (3 days)
"At the Circus" (M-G-M) (4 days)
"We Are Not Alone" (W. B.) (4 days)
EMPIRE—(2,000) (20c-30c) 2nd run. Gross: $1,800. (Average, $1,700)

Drops $500,000 Suit

Suit of John C. E. Carnevale for $500,000 damages against RKO Radio Pictures, M. P. P. D. A., Columbia Broadcasting System, William Wrigley, Jr., Co., Jesse L. Lasky and Will H. Hays has been discontinued in New York Supreme Court. Plaintiff claimed that in July, 1938 he had turned over an idea to Hays for a radio program to find new faces for the screen which was adopted in the "Gateway to Hollywood" broadcasts without payment to him.

'Williams' and Band $14,600, Minneapolis

MINNEAPOLIS, Jan. 9.—There was little complaining along the main stems of Minneapolis and St. Paul. All theatres did a thriving business. In Minneapolis, best business was [illegible] by "The Amazing Mr. Williams" and Buddy Rogers at the Orpheum where the gross was $14,600.

In St. Paul, the best was "Four Wives," with $7,500 at the Orpheum.

Estimated takings for the week ending Jan. 4:

Minneapolis:

"Reno" (RKO)
"Little Accident" (Univ.)
"Call a Messenger" (Univ.)
"Two Thoroughbreds" (RKO)
ASTER—(900) (15c-25c) 8 days. Gross: $2,300. (Average, 7 days, $1,500)

"Gulliver's Travels" (Para.)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,700. (Average, $4,000)

"Rasputin" (Foreign)
ESQUIRE—(290) (25c-40c) 7 days, 2nd week. Gross: $1,800. (Average, $900)

"Housekeeper's Daughter" (U. A.)
GOPHER—(990) (25c) 7 days. Gross: $4,100. (Average, $2,500)

"Thou Shalt Not Kill" (Rep.)
MINNESOTA—(4,300) (20c-40c) 7 days. Helen Morgan. Gross: $6,500. (Average, $6,000)

"Amazing Mr. Williams" (Col.)
ORPHEUM—(2,900) (25c-40c) 7 days. Buddy Rogers band. Gross: $14,600. (Average, without stage show, $4,400)

"Another Thin Man" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $11,000. (Average, $4,000)

"Our Neighbors—the Carters" (Para.)
WORLD—(400) (25c-55c) 7 days, 3rd week. Gross: $1,500. (Average, $1,600)

St. Paul:

"Four Wives" (W. B.)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $7,500. (Average, $3,200)

"Gulliver's Travels" (Para.)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $7,000. (Average, $4,400)

"Another Thin Man" (M-G-M)
RIVIERA—(1,000) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $1,800)

"Alleghany Uprising" (RKO)
"Little Accident" (Univ.)
TOWER—(1,000) (25c) 6 days. Gross: $2,100. (Average, $1,600)

"Our Neighbors—The Carters" (Para.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $1,200. (Average, $1,000)

'Balalaika' Scores $20,000 in Buffalo

BUFFALO, Jan. 9.—All downtown houses broke their one-day attendance records New Year's Day. Best for the week was "Balalaika" and a stage show at the Buffalo with $20,000.

Estimated takings for the week ending Jan. 7:

"Balalaika" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days and midnight show. Harry James & orch. & Red Skelton on stage. Gross: $20,000. (Average, $12,000)

"Swanee River" (20th-Fox)
"Nick Carter, Master Detective" (M-G-M)
GREAT LAKES—(3,000) (30c-50c) 6 days and midnight show. Gross: $11,200. (Average, $7,500)

"Gulliver's Travels" (Para.)
HIPPODROME—(2,500) (25c-35c) 7 days and midnight show, 2nd week. Gross: $5,300. (Average, $6,800)

"On Dress Parade" (W. B.)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days and midnight show. Dead End Kids & Schlepperman in person on stage. Gross: $14,500. (Average, $6,800)

"Destry Rides Again" (Univ.)
"Laugh It Off" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days and midnight show. Gross: $11,400. (Average, $6,300)

Variety Artists Get Thomson 10 Days

HOLLYWOOD, Jan. 9.—The board of directors of Screen Actors Guild has eleased Kenneth Thomson, its execuive secretary, for a 10-day trip to New York for conferences on organization plans of the American Guild of Variety Artists.

The board declined to release Thomson for an extended period until he reported back with details of the situation. Thomson will leave as soon as pending business, such as negotiations over re-classification of atmosphere players and wage increases for them, are completed.

The A. G. V. A. is experiencing difficulty in selecting an executive secretary. Following its organization in September, Maida Reade was appointed and Dorothy Bryant followed her. Mrs. Bryant collapsed last week from overwork and was compelled to resign.

The other branches of Associated Actors and Artistes of America, particularly Actors Equity, believe that Thomson should take the helm temporarily because he was the leader of the fight against the American Federation of Actors, whose charter was revoked.

Thomson will act in his capacity as vice-president of the 4-A and will probably discuss the "one big union" issue while here. The 4-A board voted last week to request Thomson's assistance and the A. G. V. A. board followed suit.

Order Due Friday On RKO's Assets

(Continued from page 1)

the stock of which Atlas pays $645,816 and others the balance.

It was also revealed that applications for final allowances will be filed with the court before the end of the month. These applications will be heard at an early date.

RKO, which has been in reorganization since Jan. 27, 1933, may emerge from court proceedings on the seventh anniversary of the filing of its petition in 77B.

'Information Please' Shorts Scoring Hit

The popularity of the "Information Please" short subject series after its initial four issues indicates distribution possibilities of approximately 7,500 theatres, according to Harry Michalson, RKO short subject sales manager.

"The series is now playing in almost every major independent situation in the United States and Canada," Michalson said.

It has also been booked by such circuits as Warners, Butterfield, Famous Players Canadian, Feiber & Shea, Griffith, Century, Great States, Lucas & Jenkins, Interstate and Texas Consolidated, Wilby-Kincey, Publix-Shea, Sparks, S. A. Lynch, Walter Reade and United California.

'Ski Chase' Booked

World Pictures Corp. has booked "Ski Chase," featuring Hans Schneider, for the Warner and Comerford circuits.

Theatre, Personnel Notes

Griffith Shifts Men

KANSAS CITY, Jan. 9.—Lew Chatham, who has been assistant to H. J. Griffith of Griffith-Dickinson Theatres, Inc., has gone to Bartlesville, Okla., as city manager for Griffith Amusement Co. W. G. McKinney has replaced Ralph Kieffer as head booker for the circuit. Temple DeVilbiss, who combines the job of construction engineer for the circuit with that of theatre manager, has succeeded Ken Prickett as manager at Junction City, Kan. Jack Sage, formerly at Chillicothe, Mo., succeeds DeVilbiss at Marceline, Mo.

Reopening at Danville, Va.

DANVILLE, Va., Jan. 9.—Leonard Lea, of Schoolfield, who took over the old Broadway and renamed it the Lea, expects to open the remodeled theatre on Jan. 20.

Simmons Back in Business

KANSAS CITY, Jan. 9.—A. J. Simmons, who sold his interests in three Missouri theatres last year, has re-entered exhibition, with Warren Weber, buying the Howard, Howard, Kan., from George Gotoged, veteran exhibitor.

Gets Warner Publicity Post

CLEVELAND, Jan. 9.—E. C. Pearlstein, with Warners here, has been named publicity manager for Warner Theatres in Ohio. David Bachner has been promoted to first assistant in the advertising department here.

Managing Virginia House

WEST POINT, Va., Jan. 9.—Charles W. Denmead, who recently purchased an interest in the York, has assumed personal management of the house. Ben Pitts, circuit operator, still has an interest in the theatre.

Roosevelt Misses '69th'

WASHINGTON, Jan. 9.—President Roosevelt has promised to send a message to be read at the 69th Regiment dinner at the Waldorf-Astoria Jan. 24 at which "The Fighting 69th," Warner film, will be shown. Roosevelt was unable to accept an invitation to attend the dinner. James Cagney, one of the three stars of the film, with Pat O'Brien and George Brent, will be present.

Tarkington Film Suit

Federal Judge Coxe yesterday ordered that interrogatories of Booth Tarkington be stricken out as immaterial in Tarkington's suit for $100,000 damages against Warner Bros. Pictures. Plaintiff contends that the film, "Penrod and His Twin Brother," appropriated his literary material without permission. Warner Bros. has counterclaimed for $18,500 on a sale of a number of Penrod stories.

Dunne in 'Hull House'

HOLLYWOOD, Jan. 9.—Irene Dunne has been given the title role in "Jane Addams and Hull House," which Columbia will produce. The picture will be Charles Rogers' first for that company. Arthur Caesar will do the scenario.

Buys North Carolina House

BRYSON CITY, N. C., Jan. 9.—J. E. Massie, of Waynesville, who operates the Park and Pisgah in that city and the Lyric in Sylva, has purchased the Bryson here and the Gatlinburg in Gatlinburg, Tenn.

Buys in Jacksboro, Tex.

JACKSBORO, Tex., Jan. 9.—The Mecca here has been purchased by Raymond Thompson.

Opens Naples, Tex., House

NAPLES, Tex., Jan. 9.—W. W. McNatts have opened the new Inez here.

New Texas House Opened

SABINAL, Tex., Jan. 9.—The new Ross has been opened by Gene Burris.

Leases Arkansas Theatre

STAMPS, Ark., Jan. 9.—Cecil Kelley, theatre owner of Plain Dealing, La., has leased the State here. New equipment is being installed and Kelley plans to reopen the house shortly.

Takes Missouri House

KANSAS CITY, Jan. 9.—M. B. Presley, who operates the Globe at Savannah, Mo., and the Dixie at Belton, Mo., has taken over the Binney at Pattonsburg, Mo., from Earl Binney.

Buys Kansas City House

KANSAS CITY, Jan. 9.—Arthur Burke, who operates the Gillham here, has taken over the Colonial from Vogel Gettier.

TMAT Loses First Labor Board Ballot

(Continued from page 1)

11 were allowed to cast their ballots, but were kept in a separate group and not included in the tally because the house has been sold by the circuit. The board, in its original decision, ruled that the Howard was not to be included in the vote because of a bona fide sale.

The union took exception to the exclusion of the Howard votes and will press an appeal to the board, Gustave A. Gerber, TMAT attorney, said. Two managers and nine ushers were involved. In addition, the union protested against the exclusion of eight who were not permitted to vote.

Unless the board admits the eight excluded votes and the Howard ballots, the challenges cannot affect the result. In the event the five challenges on the managers' vote are allowed, it could only result in a tie and the union would still remain defeated.

Gerber declared that the union would press charges that the circuit had "unfairly influenced" the vote.

Denies Para. Dismissal

Application of Paramount Pictures to dismiss the suit of Frank Jablow and Sam Acker, stockholders, against it, Erpi, American Telephone & Telegraph Co., and Western Electric Co. has been denied here by Federal Judge Conger. Plaintiffs were ordered to file a bill of particulars within 20 days. Suit claims dissipation of company assets.

Committee Tackles Copyright Changes

WASHINGTON, Jan. 9.—Introduction of the Shotwell Committee Copyright legislation in the Senate yesterday by Senator Thomas (Democrat, Utah), was merely for the purpose of getting the legislation before the Senate Patents Committee and not with the idea of pushing it through immediately, it was explained today.

Senator Thomas said he desires merely that members of the Senate might have an opportunity to study the legislation, over which there are "a great number of conflicts."

Indications are that the committee will not take the measure up for some weeks, due to the absence from Washington of Chairman Bone and Senator Thomas has agreed not to press for ratification of the international copyright convention until the committee has had a reasonable time in which to act on revision of the domestic law.

Television Wages Stir New Dispute

A heated debate between members of the council of Actors Equity and George Heller and Alex McKee, of American Federation of Radio Artists, took place at Equity headquarters yesterday when the A. F. R. A. delegates appeared to discuss television wage scales. Both sides refused to comment on the issue after the meeting.

Equity, which claims jurisdiction over the field, wants to start negotiations with television stations immediately. A. F. R. A., however, believes that the reorganization of the parent body, Associated Actors and Artistes of America, which would merge all the branches, should be completed first.

In addition, A. F. R. A., under its present contracts with the networks has promised not to attempt to organize the television field until August. If negotiations were to be started now, A. F. R. A. would be compelled to permit Equity or some other union to do the organizing, it was contended.

Representatives of Equity, A. F. R. A. and Screen Actors Guild have been meeting for several months but they have failed to agree on wage scales or working conditions.

Pay Up Your Dues! Ampa Makes Plea

Ampa officials are appealing to 76 members who have failed to pay this year's dues to do so immediately in order to maintain the treasury in a strong position. Only 47 members are paid up.

The organization is in the black for the first time in many years, according to the directors, who have submitted the annual financial report to the membership.

On Jan. 1 there was $283.81 in the bank. A total of $455 in dues was received from Sept. 18 to Dec. 31, 1939. Outstanding dues, listed as an asset, total $1,240. There are no outstanding debts.

Studio Work Suffers Lull, 26 Shooting

HOLLYWOOD, Jan. 9.—Production dropped to 26 pictures in work, the lowest for almost a year, as six pictures finished and only two started. Seventeen are being prepared and 74 are being edited.

The tally by studios:

COLUMBIA—In Work: "Blondie on a Budget," "Too Many Husbands," "Passport to Alcatraz."
GOLDWYN—In Work: "The Westerner."
M-G-M—Finished: "Strange Cargo," "Florian," "I Take This Woman."
In Work: "New Moon," "40 Little Mothers."
PARAMOUNT—In Work: "Down Went McGinty."
Started: "Woman from Hell."
RKO—Finished: "Millionaire Playboy."
In Work: "The Primrose Path," "Irene," "Little Orvie," "Bill of Divorcement," "My Favorite Wife."
REPUBLIC—In Work: "The Dark Command."
SMALL—In Work: "My Son, My Son."
20TH CENTURY-FOX—In Work: "Dance with the Devil," "Hotel for Women No. 2," "I Was an Adventuress," "Cisco Kid No. 2."
UNIVERSAL—Finished: "My Little Chickadee."
In Work: "It Happened in Kaloha," "Black Friday."
Started: "The House of Seven Gables."
WARNERS—Finished: "Virginia City."
In Work: "We Shall Meet Again," "And It All Came True," "Married, Pretty and Poor," "Three Cheers for the Irish."

New Year's Boosts Milwaukee Gross

MILWAUKEE, Jan. 9.—Heavy New Year's Eve business at higher admission boosted all takes.

Estimated takings for the week ending Jan. 4:

"Gulliver's Travels" (Para.)
"Our Neighbors, the Carters" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

"Everything on Ice" (RKO)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Benny Davis' Stardust Revue. Gross: $12,000. (Average, $6,500)

"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
"Everything Happens at Night" (20th-Fox)
"The Cisco Kid and the Lady" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 2-5 days, split week. Gross: $2,600. (Average, $1,500)

"Four Wives" (W. B.)
"Charlie McCarthy, Detective" (Univ.)
"The Hunchback of Notre Dame" (RKO)
WARNER—(2,400) (25c-35c-50c) 2-5 days, split week. Gross: $7,600. (Average, $4,500)

"Everything Happens at Night" (20th-Fox)
"The Cisco Kid and the Lady" (20th-Fox)
"Balalaika" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
WISCONSIN — (3,200) (25c-35c-50c) 2-5 days, split week. Gross: $8,800. (Average, $5,500)

'Hunchback' Pulls $7,100 Omaha Lead

OMAHA, Jan. 9.—"Hunchback of Notre Dame" soared to $7,100 at the Brandeis, the New Year's Day gross hitting $2,000, an all-time one-day record for the house.

Estimated takings for the week ending Jan. 3-4:

"Hunchback of Notre Dame" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $7,100. (Average, $4,000)

"Gulliver's Travels" (Para.)
"What a Life" (Para.)
OMAHA—(2,200) (25c-40c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)

"Cat and the Canary" (Para.)
ORPHEUM—(3,000) (35c-55c) 7 days. Stage: John Boles and Lawrence Welk orchestra. Gross: $14,200. (Average, $12,500)

"Judge Hardy and Son" (M-G-M)
"Honeymoon's Over" (20th-Fox)
PARAMOUNT—(3,000) (25c-40c) 7 days. Gross: $6,800. (Average, $7,000)

Feature Reviews

"Brother Rat and a Baby"

(Warners)

HOLLYWOOD, Jan. 9.—Precisely as suggested by the title, this romping comedy picks up the affairs of the lively young people of "Brother Rat" at a little past the point where that film left off and continues the story in the same riotous vein. It is swiftly paced, relies upon situation and complication for most of its laughs and gets quite a lot of them.

Eddie Albert continues his able portrayal of the dully brilliant young man, now father of a baby addicted to swallowing things, and Wayne Morris again dashes through the footage as the well meaning young man who messes up everybody's affairs, including his own. Jane Bryan, Priscilla Lane, Jane Wyman, Ronald Regan, Arthur Treacher, Peter B. Good and Berton Churchill are others prominent in a large cast.

The film is up to the high Hal B. Wallis standard as regards production, Robert Lord having acted as associate, with Ray Enright directing. The story is an original screenplay by John Monks, Jr., and Fred F. Finkelhoffe. It has to do with the efforts of Morris to land a coaching job for Albert and the efforts of everybody else to keep the Morris efforts from wrecking everybody's interests.

Running time, 90 minutes. "G".* ROSCOE WILLIAMS

"S. O. S. Mediterranean"

(Epinay Studios Eclair-Vedis)

A passionate plea for peace, "S. O. S. Mediterranean" is a stirring tale of three battleship commanders of three nations who are thrust into a common adventure. National hatreds fade as the men learn to respect each other for their respective displays of courage.

In theme, the film is similar to that of "Grand Illusion," with three cultured members of the officer class of France, England and Germany deciding that war doesn't pay. Dramatically, the treatment is different and the climax is genuinely tense. Produced in France, the film is now banned there.

The story is that of a French commander who is ordered to capture an outlaw vessel carrying a cargo of poison gas. In accordance with international law, British and German officers accompany him. The gas is a powerful chemical against which gas masks are ineffectual. When the ship is sunk, the gas travels over a wide area to threaten a ship on which the French commander's family is traveling.

French, English and German are spoken but the English subtitles are adequate. Pierre Fresnay, Rolf Wanka and Kim Peacock portray the roles of the commanders with considerable understanding. Patrons of foreign films should find this enjoyable fare. Leo Joannon wrote the story and directed.

Running time, 81 mins. "G."* EDWARD GREIF

"G" denotes general classification.

Holiday Weekend Booms Washington

WASHINGTON, Jan. 9. — With all first run houses having New Year's midnight shows on both Saturday and Sunday nights, grosses were very strong.

Estimated takings for the week ending Jan. 5-7:

"Four Wives" (W. B.)
WARNER'S EARLE—(2,218) (25c-66c) 7 days. Stage: Martha Raye. Gross: $25,000. (Average, $16,000)

"Invisible Stripes" (W. B.)
WARNER'S METROPOLITAN — (1,591) (25c-40c) 7 days. Gross: $9,000. (Average, $4,000)

"The Secret of Dr. Kildare" (M-G-M)
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Louella Parsons and "Stars of 1940." Gross: $26,000. (Average, $16,500)

"Gulliver's Travels" (Para.)
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $16,000. (Average, $12,000)

"Housekeeper's Daughter" (U. A.)
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days. Gross: $5,000.

"The Hunchback of Notre Dame" (RKO)
RKO-KEITHS—(1,836) (25c-55c) 7 days. Gross: $17,000. Average, $12,000)

To Start Vaudeville

PHILADELPHIA, Jan. 9. — The Holme, neighborhood house, shortly will inaugurate a combination vaudeville-film policy.

Schine Transfers Several Managers

ROCHESTER, N. Y., Jan. 9.—Bud Silverman, for many years Schine district manager in Louis Lazar's Ohio zone, is city manager here in charge of all Rochester, East Rochester and Fairport theatres.

Louis Levitch, former city manager, remains as manager of Schine's Madison here. Gene Curtis, Rochester publicity director for Schines, moves to the Paramount at Syracuse, while Pat McGee, who has been manager of the Syracuse house, goes to Lazar's Ohio zone as district manager. He will probably fill the post of Jim Levine, Ohio district manager, who has resigned.

Lee Stern, manager of Schine's West End here, goes to the Empire, Glens Falls, as manager. Sidney Holland, Schine Syracuse manager, goes to Gloversville as district manager in the Mohawk Valley and adjacent territory formerly managed by Frank M. Boucher. Lou Hart goes from the Glove to the Hipp, Gloversville, with Harvey Cocks, Hipp manager, as yet unassigned but remaining with the circuit.

'Hunchback' Tops Seattle, Draws $8,50

SEATTLE, Jan. 9.—"The Hunchback of Notre Dame" at the Fifth Avenue drew $8,500. "Invisible Stripes," supported by a strong stage bill at the Palomar, took $7,000. The weather was rainy but warm.

Estimated takings for the week ending Jan. 5:

"Gulliver's Travels" (Para.)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)

"Hunchback of Notre Dame" (RKO)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $8,500. (Average, $7,000)

"Amazing Mr. Williams" (Col.)
"Blondie Brings Up Baby" 'Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $5,000)

"Judge Hardy and Son" (M-G-M)
"The Witness Vanishes" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)

"Everything Happens at Night" (20th-Fox)
"Call a Messenger" (Univ.)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,200. (Average, $6,000)

"Invisible Stripes" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Lamont & Burgess. Gross: $7,000. (Average, $5,000)

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $7,300. (Average, $6,000)

'Victor Herbert' Is New Haven Winner

NEW HAVEN, Jan. 9.—The Paramount took $7,300 in a split run caused by the cutting short of the proposed second week of "Gulliver's Travels" and "Television Spy" to a two-day holdover. "The Great Victor Herbert" and "Emergency Squad" six-day run makes up the figure.

Estimated takings for the week ending Jan. 5:

"Judge Hardy and Son" (M-G-M)
"City in Darkness" (20th-Fox)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $3,300. (Average, $2,700)

"Balalaika" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $8,500. (Average, $8,000)

"Gulliver's Travels" (Para.)
"Television Spy" (Para.)
"The Great Victor Herbert" (Para.)
"Emergency Squad" (Para.)
PARAMOUNT—(2,348) (35c-50c) 6 days. Gross: $7,300. (Average, $4,000)

"Four Wives" (W. B.)
"Two Bright Boys" (Univ.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,700. (Average, $5,000)

'Swanee' Is Detroit Smash with $27,500

DETROIT, Jan. 9.—"Swanee River" and "The Honeymoon's Over" garnered $27,500 at the Fox.

Estimated takings for the week ending Jan. 4:

"Charlie McCarthy, Detective" (Univ.)
"One Hour to Live" (Univ.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $6,000. (Average, $5,000)

"First Love" (Univ.)
"Bachelor Mother" (RKO)
FISHER—(2,700) (15c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Swanee River" (20th-Fox)
"The Moneymoon's Over" (20th-Fox)
FOX—(5,000) (20c-55c) 7 days. Gross: $27,500. (Average, $12,000)

"Gulliver's Travels" (Para.)
"The Secret of Dr. Kildare" (M-G-M)
MICHIGAN—(4,000) (15c-65c) 7 days, 2nd week. Gross: $12,000. (Average, $12,000)

"The Housekeeper's Daughter" (U. A.)
"Kid Nightingale" (W. B.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)

"Judge Hardy and Son" (M-G-M)
UNITED ARTISTS — (2,000) (15c-40c) 7 days. Gross: $9,000. (Average, $10,000)

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MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

Stanley Shift May Imperil Film Finance

(*Continued from page 1*)

pear before the Board of Trade tomorrow, pressing for further information concerning the Government's plans for the industry. It is believed that they especially will seek clarification of the term control, as used in Stanley's recent letter to the Films Council referring to American money.

The exhibitors strongly favor control of rentals as part of the Government financing plan.

The exhibitors take the position that they cannot offer suggestions of value until the vague situation is clarified. They may seek the retention of the Films Act clauses prohibiting advance bookings, and probably will oppose unreasonable quota percentages.

Four Advertisers Lead CBS Again

Lever Bros., General Foods, Colgate-Palmolive-Peet, and Procter & Gamble continued as the four leading advertisers over CBS during 1939, figures released yesterday revealed. The four led for the second year and the total of the four companies produced approximately one-third of CBS gross billings of $34,539,665.

Foods and food beverages, with gross billings of $9,688,774, again proved to be the largest group within the classification by industries. Drugs and toilet goods were second with $7,651,605.

The complete breakdowns of billings by the leading sponsors follow.

Lever Bros., $3,392,672; General Foods, $3,191,167; Colgate-Palmolive-Peet, $2,509,096; Procter & Gamble, $2,283,347; Campbell Soup, $2,253,083; R. J. Reynolds Tobacco, $1,418,333; Wm. Wrigley Jr., Co., $1,304,391; American Tobacco, $1,286,703; Chrysler, $950,146; Ford, $949,297; Liggett & Myers Tobacco, $945,620; Texas Co., $875,418; American Home Products, $804,839; Continental Baking Co., $729,543; and Pet Milk, $699,242.

Following the two leaders in the breakdown by industry were tobacco, $5,297,181; soaps and household supplies, $4,032,142; lubricants and fuel, $2,390,774; automotive, $2,201,293; confectionery and soft drinks, $1,587,019; financial and insurance, $939,988; jewelry and silverware, $235,244; shoes and leather goods, $190,255; radios and phonographs, $85,740; travel and resorts, $11,000; building materials, $5,645; political, $5,352; clothing and dry goods, $691; and miscellaneous, $216,962.

Associates to Have Election on Jan. 16

Motion Picture Associates will elect officers Jan. 16 at the Hotel Astor at a luncheon meeting.

Chief interest centers around the contest for president in which Jack Ellis, incumbent, is opposed by Morris Sanders.

Fox West Coast Business Up 10%

Business of the Fox West Coast circuit is 10 to 15 per cent above last year's at this time and indications are that it will continue better, according to Charles Skouras, head of the circuit, who is in New York.

Employment is up on the Pacific Coast and people are in a better frame of mind in contrast to last year when business was unsettled, Skouras added.

Skouras is discussing plans with his brother, Spyros, head of National Theatres, for a divisional managers meeting to be held in Los Angeles late in January or early in February.

Clearance is No. 1 Woe, Says Ritchey

CLARKSBURG, W. Va., Jan. 9.—"Clearance and its solution is the No. 1 problem for 1940, for more general damage to theatre owners and to distributors has been done by unjustified clearance than any other one thing."

This was declared here today by H. M. Richey, director of exhibitor relations for RKO, speaking at the annual convention of the I.T.O. of West Virginia, an Allied affiliate.

A fair solution of the problem, said Richey, "must be based on price of film, admission prices, distance, area, natural barriers, policy and other factors."

"That clearance in many instances is the product of selfishness and has no economic justification has been shown many times," he continued.

"It affects not only the independent exhibitor but the producer as well, for where the producer is forced, because an independent circuit or affiliated circuit controls the town, to extend clearance that kills the value of the picture subsequently without getting for that clearance a price consistent with other like communities, the producer and distributor take a definite loss.

'Exhibitors Want Arbitration'

"Where unfair circuits hold up pictures an unreasonable time, preventing the pictures from being shown until they are too old and have lost most of their box-office value, they injure the subsequent run exhibitor and when he doesn't make a profit, the industry loses."

Richey declared his belief that most exhibitors want arbitration to settle differences "in a speedy, fair and enforceable manner," and said that several independent exhibitor organizations favor such machinery. The arbitration formula set up in the code negotiations requires little revision, he said, urging the industry to take steps to establish it this year.

Every exhibitor should read the Neely bill carefully and "make up his mind what he thinks is the best thing to do and see that his Congressman knows how he stands," said Richey.

Monogram Chiefs' Contracts Extended

(*Continued from page 1*)

firm of Price and Waterhouse was made assistant treasurer.

Norton V. Ritchey, general manager of foreign distribution, is retiring from the board to make a place for John W. Mangham, of Atlanta, chairman of the executive committee of the franchise holders.

Recently Harry H. Thomas was put in charge of the company-owned exchanges in New York, Philadelphia and Washington.

U.S. Officials to See 'Lincoln' Premiere

Mrs. Franklin D. Roosevelt will head a crowd of notables who will attend the world premiere of "Abraham Lincoln in Illinois," scheduled Jan. 22 at the RKO Keith at Washington, D. C. The Newspaper Women's Club of Washington will sponsor the premiere.

Tickets will be $2.50 and $5 and proceeds will be donated to the charity funds of the sponsoring organization.

Guests at the premiere will include, in addition to Mrs. Rosevelt, Mrs. Cordell Hull, Mrs. Nicholas Longworth, Mrs. Eleanor Patterson, Mrs. Charles Evans Hughes, Mrs. Stanley F. Reed, Mrs. Louis D. Brandeis, Mrs. George Sutherland, wives of foreign diplomats; Robert E. Sherwood, author of the Pulitzer prize play, and Max Gordon and Harry Goetz, producers; film industry executives and press representatives.

Following the premiere, the picture will begin an extended run engagement at advanced admission prices. The house will have continuous performances from 11 A. M. until 7:30 P. M. daily, with a morning admission of 55 cents and an afternoon admission of 75 cents. A single evening performance will be given nightly, beginning at 8:30, with all seats reserved and an admission of $1.10.

RKO also is planning a number of roadshow engagements for the picture in selected localities where similar policies will be in effect.

Edington Praises Personnel at RKO

HOLLYWOOD, Jan. 9.—In his first official statement since assuming his new position as production head of RKO, Harry Edington today said: "The marked progress made by RKO in the past year offers sufficient evidence of the company's splendid personnel. I hope to continue that progress and encourage that spirit."

Lloyd Plagiarism Suit

An order for the taking of depositions of Harold Lloyd in Los Angeles was sought yesterday in the U. S. District Court by William Jordon Rapp and Lowell Brentano, plaintiffs in a $75,000 plagiarism suit against Lloyd and his company. Suit claims infringement of the play, "Greek to You," by the film, "Professor Beware."

Warner Signs Director

HOLLYWOOD, Jan. 9.—William K. Howard has signed a contract as director for Warner Brothers. He will report to the studio Feb. 1.

Radio News Notes

AT yesterday's demonstration of a 50-minute television commercial over at NBC, for the benefit of the Bulova convention only, some interesting facts concerning Bulova's spot announcements were given by Milton Biow and John H. Ballard, Bulova president.

Bulova is the leading user of spot announcements in the country, according to Biow. The spots are used on 92 per cent of 50,000-watt stations, are exclusive for watches on 83 per cent of them.

Biow stressed the fact that spot announcing was insufficient unless backed by newspaper and magazine advertising. During 1939, Bulova used magazines but relied on dealers for cooperative newspaper ads. This year's budget will be lifted from $1,524,757 spent in 1939 to $2,000,000, in order to permit newspaper ads. The division of the funds among the three media was not disclosed.

▼

Jimmie Lunceford, band-leader, is looking forward to the day when swing will lose its appeal. Jimmie was picked up by Harold Oxley when the former's band was stranded in upstate New York. Together they have formed the New Era Music Publishing Co. Negotiations for the purchase of three Ascap catalogues are nearing completion and, together with 60 songs already owned by the band, will form the nucleus of the new company.

▼

Set manufacturers, notably General Electric and Stromberg-Carlson, are featuring combination amplitude modulation and frequency modulation receiving sets in their new 1940 lines.

Although it is too early to tell what the sales will be, both companies are pushing the new models. If any degree of marketability is achieved by the sets, it will probably mark the beginning of FM broadcasting on a regular basis.

Incidentally, set manufacturers are overcoming public reluctance to purchase expensive sets because of the fear of television by featuring push-in plugs to which a television set can be attached.

▼

Parker Watkins, the Negro tenor who has been entertaining commuters at Pennsylvania station since Christmas Eve, will receive his chance on radio Friday on Benay Venuta variety show over WOR.

Alfred Wallenstein, the musical director, read newspaper accounts of Watkins arrival at the terminal on Christmas Eve, after being dropped from the relief rolls, and his singing which attracted huge throngs.

Yesterday afternoon, Wallenstein called for Watkins and gave him a test. If he makes good Friday night, he is in line for a permanent spot.

Honor Radio Officials

The Advertising, Publishing and Radio Committee of the Boy Scout Foundation of Greater New York will tender a reception to Clarence Francis and Merlin H. Aylesworth at the Starlight Roof of the Waldorf-Astoria Hotel today at 9:45 P. M.

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V[illegible] 47. NO. 8 NEW YORK, U. S. A., THURSDAY, JANUARY 11, 1940 TEN CENTS

Bioff Indicted; U. S. Charges Tax Evasion

1936-'37 Incomes Cited; Surrenders Today

Los Angeles, Jan. 10.—William Bioff, I.A.T.S.E. leader, today was indicted on two counts of income tax evasion by the Federal Grand Jury here. He will be surrendered tomorrow by his attorney, George M. Breslin.

Concluding one phase of investigation of several months' duration, grand jurors voted a true bill charging Bioff failed to pay proper tax during 1936 and 1937, the latter year being a period in which he received what he described as a $100,000 loan from Joseph M. Schenck.

Higher Incomes Claimed

Government charges that Bioff should have paid $4,384 in taxes on income of $33,573 in 1936 and $80,250 on income of $176,417 in 1937.

According to Charles H. Carr, assistant attorney general in charge of the probe, Bioff in 1936 paid a tax of only $105.02 on asserted income of

(*Continued on page* 4)

Goldwyn Weighs Dismissal Appeal

Samuel Goldwyn's attorneys are considering an appeal to the U. S. Circuit Court from Federal District Judge John P. Nields' recent decision in Wilmington, dismissing Goldwyn's breach of contract suit against United Artists.

Goldwyn, who discussed arrangements for a new releasing deal with RKO, Paramount and finally War-

(*Continued on page* 2)

Weeks to Produce For Monogram

George W. Weeks, general sales manager for Monogram, will produce for the company in Hollywood upon his retirement from the sales post March 1.

Contract extensions voted to W. Ray Johnston and Scott R. Dunlap, vice-president in charge of production, by the board of directors, will carry their contracts to March 1, 1945.

Weeks has been planning to enter production for some time. He joined Monogram as vice-president in charge of sales more than a year ago.

Ticket Code Fight Settled; 21 Small Brokers to Sign

Win Three Concessions From Theatre League After Long Dispute

The ticket code controversy was settled yesterday after several months of wrangling between the League of New York Theatres and the Associated Theatre Ticket Agencies, organization of the smaller brokers.

Twenty-one of the 23 A.T.T.A. members signified yesterday that they would accept the code, with one refusal and one still undecided.

As a result, 32 agencies are now within the code with all the important brokers among them. Three concessions were obtained from the League. Payments from brokers for the period from Sept. 15 to Nov. 30 were waived.

At the time the code was adopted on Nov. 22, all arrears from March to Sept. 15 were likewise cancelled.

(*Continued on page* 4)

Film Board Elects Bowen President

Jack J. Bowen, manager of M-G-M's New York exchange, yesterday was elected president of the New York Film Board of Trade for 1940. During the past year, Bowen served as treasurer.

Nat Beier, manager of the United Artists branch in New York, was elected first vice-president, and Ben Abner, M-G-M New Jersey manager, was elected second vice-president. Other officers follow:

David A. Levy, head of the Big

(*Continued on page* 4)

Italy to Show U. S. Films Once Again

Italy, which has not received any American films since Jan. 1, 1939, will be showing U. S. product at an early date, it was authoritatively learned yesterday. One of the major American companies has made arrangements for the distribution in Italy of a group of films.

The deal is for old pictures and was made to close a lawsuit in Italy by which a considerable amount of the company's cash had been sequestered. No new pictures will be sold by this firm in Italy.

GN Closes Doors; Auction on Jan. 16

Grand National Pictures ceased operations yesterday when Harry Fromberg, trustee appointed by the court, discharged approximately 100 employees and closed the doors of the New York offices.

Sale at auction of the furniture and fixtures will be held Jan. 16 under an order signed yesterday by Referee Peter B. Olney, Jr., which authorizes sale on five days' notice to creditors. The bulk of the assets, it was learned, will not be sold at auction but efforts will be made to sell directly to some large concern.

Joseph Dannenberg, attorney for the Creditors' Committee, was named attorney for the trustee by Referee

(*Continued on page* 4)

Roosevelt, Depinet Discuss Block Booking Pro and Con

The pro and con of the abolition of block booking is set forth by James Roosevelt, president of his recently organized Globe Prod., and Ned E. Depinet, RKO vice-president, in the current issue of *The Rotarian.*

Roosevelt advocates elimination of block booking as a means of providing the exhibitor and public with better pictures and argues that "disregard" of the situation by the industry will probably lead to legislative regulation.

Roosevelt disclaims any favor for

(*Continued on page* 7)

RKO Vice-President Post Given Merrill

William Merrill, assistant to President George J. Schaefer, was elected a vice-president of RKO Pictures at a meeting of the company's board of directors yesterday at the company's home offices.

William H. Clark, O. R. McMahon and G. Van Wagner were elected assistant treasurers.

J. Miller Walker and Gordon Youngman were chosen assistant secretaries of the company.

'Pinocchio's' Feb. Opening Set at Center

70% Price Is Reported; Admissions Raised

By SAM SHAIN

"Pinocchio," Walt Disney's second feature-length cartoon, will open in February at the Center Theatre for an indefinite run at above average admission prices.

RKO Pictures is reported arranging for terms of 70 per cent of the gross and hopes that the picture will exceed the five-week $530,000 gross garnered by "Snow White" in January-February, 1938, at the Radio City Music Hall and at the same time surpass the $150,000 in rentals received for the Disney picture during its Music Hall showing, by $50,000 to $100,000.

Plan Mid-February Opening

"Pinocchio" will open at the Center Theatre on or about Feb. 15, according to present plans.

The only other picture ever to obtain terms of 70 per cent in metropolitan New York is "Gone With the Wind," now being offered at the Astor and Capitol at advanced admission prices.

It is also reported that RKO also will ask for a special admission scale at the Center, assuring an average of

(*Continued on page* 8)

Ticket Tax Revenue Slumps $1,330,000

Washington, Jan. 10.—The decline in box-office grosses in the higher brackets during 1939 as compared to 1938 is indicated in the drop in Federal admission tax collections, from $20,800,779 in 1938 to $19,470,802 in 1939, a decrease of $1,329,977.

Collections at the box-office declined from $18,423,307 to $17,06,415, it is shown by figures contained in the annual report of the Commissioner of Internal Revenue.

In addition to collections at the box-office, the commissioner disclosed, the Government obtained $667,099 during the fiscal year which ended June 30, last, from free or reduced rate admissions, against $575,954 in the preceding year; $68,926 from leases of boxes or seats, against $42,954; $23,661 from tickets sold by proprietors in excess of established prices, against $42,954; $172,495 from ticket brokers' sales, against $186,619, and $1,442,204

(*Continued on page* 7)

Goldwyn Weighs Dismissal Appeal

(*Continued from page* 1)

ners, will not pursue these negotiations further, according to close associates, until the courts finally settle the status of his dispute with U. A.

Goldwyn is expected to leave today for California. He has remained incommunicado to the press since his arrival here last Sunday.

It is understood that a disagreement over indemnity conditions led to the rupture of negotiations between Warner Bros. and the producer for the release of his picture, "The Westerner."

Previously, the Paramount board of directors had discussed a Goldwyn deal but took no action.

United Artists' attorneys had communicated with members of the board of Warner Bros. and Paramount advising them against making a deal with Goldwyn on account of the U.A. contract. Goldwyn's contention is that his U. A. contract is no longer existent.

Milland and Griffith To London for Para.

Ray Milland and Director Edward H. Griffith will go to England next Spring for work with the company's British production forces under David E. Rose.

It was announced earlier that Madeleine Carroll would be starred in one of the four or five Paramount pictures to be made in England this year for worldwide distribution. The company will select six or eight others from its Hollywood player and director rosters for assignments abroad within the next few weeks, it was said.

PROUD WORDS:

"I FLY UNITED"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Continental," leave 5:15 pm, and "The Overland Flyer," leave 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

UNITED AIR LINES
58 E. 42nd Street
Phone MU-2-7300

Purely Personal

BARNEY BALABAN, Paramount president, plans to leave for a Florida vacation on the conclusion of production conferences at the home office with Y. FRANK FREEMAN, studio head, who is expected here Jan. 22.

•

HARRY BRANDT, TOBY GRUEN, JOHN HICKS, EARL CARROLL, TOM CONNORS, TED O'SHEA, RUSSELL HOLMAN, BOB WOLFF and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

STANTON GRIFFIS, LEON NETTER, LEONARD GOLDENSON, ALEC MOSS, EZRA STONE, A. P. WAXMAN, LIONEL STANDER, ED WYNN and ELISSA LANDI lunching at Sardi's yesterday.

•

MORTON PFEFFER of the National Screen Service production department will leave tomorrow for a two-week vacation in Miami.

•

COL. P. A. POWERS has accepted chairmanship of the film and theatrical division of the American Defense Society, preparedness organization.

•

TED KRASSNER, buyer and booker for the Cinema Circuit, and JACQUELYN LASSOFF are to be married Sunday.

•

HUNTER PERRY, Paramount theatre associate, is here from Virginia for home office conferences.

•

NATE GOLDSTEIN, Western Massachusetts theatre operator, is in New York.

•

HERMAN G. WEINBERG has resigned from the French Cinema Center.

•

CHARLES MOSES leaves for Florida this week.

•

ARTHUR GOTTLIEB of DuArt Laboratories is in Canada on business.

•

SI SEADLER, M-G-M advertising manager, is ill at his home.

GEORGE SCHAEFER, RKO president, is scheduled to leave for the Coast Jan. 19 for conferences with HARRY EDINGTON and other studio officials. NED E. DEPINET, vice-president, will leave for the Coast after the Washington premiere of "Abe Lincoln in Illinois," Jan. 22.

•

CAPT. F. G. DONEY, former manager of the Capitol Theatre, St. Thomas, Ont., who joined the colors at the first rumble of war, was one of the first officers to reach England with the Canadian Active Service Force.

•

CLIFF LEWIS, Paramount studio advertising and publicity head, is expected in New York from the Coast on Monday for a week of home office conferences.

•

S. A. LYNCH, Paramount theatre associate in Florida, is expected in New York today for a brief business visit not in connection with his theatre interests.

•

MRS. JACK KIRSCH, wife of the president of Allied Theatres of Illinois, has gone to Miami Beach for a vacation. KIRSCH plans to join her there later.

•

EDWIN FADIMAN, president of National Pictures, has returned with his family from a two-week vacation in Florida.

•

ROY DISNEY is in New York from the Coast for conferences with HAL HORNE, WALT DISNEY Eastern representative.

•

LOUELLA PARSONS ends her stage tour in Chicago today and leaves for the Coast.

•

FRANK LLOYD leaves the Coast at the close of the week for New York and Williamsburg, Va.

Columbia Declares Preferred Dividend

Columbia yesterday declared a regular quarterly dividend of 68¾ cents per share on its $2.75 convertible preferred stock, and an additional dividend of 34⅜ cents per share due for the preceding quarter on the same stock.

The payments, due Feb. 15 to holders of record Feb. 1, will bring the dividends on Columbia's preferred up to date.

Frank Seltzer Here On 'Mice' Campaign

Frank Seltzer, publicity director for Hal Roach Studios, arrived here from the Coast yesterday. He came East to launch the advertising and publicity campaign on "Of Mice and Men," United Artists release. He is expected to remain here until the film has its New York premiere early next month.

Mednikow Rejoins NSS

CHICAGO, Jan. 10.—John Mednikow has been appointed sales manager for National Screen Service here. He had left National Screen two years ago to head the offices here of Trailer-Made Co.

Kilpatrick Heading N. Y. Fund Division

James L. Kilpatrick, president of the New York Telephone Co., has been named chairman of the utilities and amusements division of the 1940 campaign of the Greater New York Fund. The fund's appeal seeks supplementary money needed for 396 voluntary health and welfare agencies of the city.

Equity Names Committee

Actors Equity has appointed Alfred Harding, editor of *Equity*, and Paul N. Turner, its counsel, as its members on the committee to plan the building of audiences for the legitimate stage. The League of New York Theatres will appoint two other members. Frank Gillmore, president of Associated Actors and Artistes of America, will be the fifth.

Bookers Elect Jan. 22

Officers of the recently organized New York Bookers Club will be elected Jan. 22 at the Hotel Lincoln. Candidates for president are Ted Krassner, Myron Starr and Harold Klein. Alex Arnswalder, Jack Meltzer and Ruby Greenberg have been nominated for vice-president.

Columbia Chicago Meeting Saturday

Second of a series of Columbia divisional sales meetings will be held Saturday and Sunday at the Blackstone, Chicago, for the midwestern and central divisions.

Current and forthcoming product and sales plans will be discussed at the meeting, which will be attended by more than 50 of the company's home office and field sales officials. Attending from the home office will be: A. Montague, general sales manager, who will preside; Rube Jackter, Max Weisfeldt, Leo Jaffe, George Josephs, Hank Kaufman and Maurice Grad.

From the field will be Phil Dunas, midwestern division manager; Carl Shalit, central division manager, and branch managers O. J. Ruby, M. H. Evidon, H. J. Chapman, B. C. Marcus and C. D. Hill. In addition, salesmen from the Chicago, Detroit, Milwaukee, Des Moines, Minneapolis, Kansas City and St. Louis exchanges will attend.

Johnson President Of General Register

E. Bruce Johnson has been elected president of the General Register Corp., succeeding Capt. P. C. Passman, who is retiring for war service in England. Passman, president for the last two years, will continue for several months in an advisory capacity.

The change was made by Cyril Foster, treasurer of Bell Punch Co., Ltd., London, who came here for the annual stockholders meeting. He was reelected treasurer of General Register. D. H. Finke of Chicago was reelected vice-president and Charles C. Butler was reelected secretary. Johnson has been manager on the Pacific Coast for four years, with headquarters in San Francisco. He participated in the organization of the First National Exhibitors Circuit, and was an executive of it for some years.

Producer Bischoff Quits at Warners

HOLLYWOOD, Jan. 10.—Sam Bischoff, veteran Warners producer, today told MOTION PICTURE DAILY, that by mutual consent his contract has been cancelled. It had until September to run. Bischoff leaves Saturday for New York on a six-week vacation. His last release was "A Child Is Born."

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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CLEAR THE WAY!

"Put this down in the book: "The Fighting 69th" is an outstanding picture, taking rank with the best in the screen's history! Will score brilliantly at the boxoffice!"
Film Daily

"A sure smash! A truly great picture which is a credit not only to Warners but to the entire industry."
Hollywood Reporter

"An entertainment natural for any situation and unquestionably a big money production! The kind of man stuff the women will go for. Earns top credit as an outstanding piece of entertainment merchandise!"
Daily Variety

"For the front profit line!"
Box Office

"Should do a terrific business!"
Showmen's Trade Review

Write it in and clear the way now for the extra time you'll need for the industry's Big Parade of Joy

"THE FIGHTING 69TH"

JAMES CAGNEY • PAT O'BRIEN
GEORGE BRENT
in 'THE FIGHTING 69TH'
with
JEFFREY LYNN • ALAN HALE • FRANK McHUGH
DENNIS MORGAN • DICK FORAN
WILLIAM LUNDIGAN • GUINN "BIG BOY" WILLIAMS
HENRY O'NEILL • JOHN LITEL
Directed by WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin • A Warner Bros.-First National Picture

From the
Action Company, square-shooting
WARNER BROS.

[*We're betting it will go 4 weeks at N. Y. Strand!*]

Bioff Indicted; U.S. Charges Tax Evasion

(Continued from page 1)

$5,710 and in 1937 paid a levy of $193.50 on asserted income of $7,205.

The maximum penalty on each count is five years in jail or $10,000 fine or both.

Breslin and Michael Luddy, the latter attorney for the Los Angeles Central Labor Council, late today issued the following statement:

"We have not as yet seen the indictment and have no definite knowledge of the exact charges. However, we assume that the indictment involves matters which were investigated several years ago by the Sacramento Grand Jury and by the legislative interim committee on capital and labor, and lately by the Federal Grand Jury.

"Although we do not intend to try the case in any place other than a proper court, we do feel that Mr. Bioff's complete innocence of any possible charge will be definitely established in due course."

Code Fight Settled By Ticket Brokers

(Continued from page 1)

The brokers argued, and the League finally agreed, that the failure to adopt a new code until late in November should relieve brokers from making interim payments.

The second concession was the waiver of bonds from brokers. Bonds will be required only when violations are proved. The last concession was permission to the brokers to form an advisory commission of their own for the purpose of meeting with the Code Enforcement Authority. The commission will have no votes but will be permitted to advise on rules and procedure at trials.

The Authority met yesterday to consider reports of a "buy" at the St. James Theatre where Earl Carroll's "Vanities" was to be housed. Boris Said, lessee of the St. James, was unable to appear and the meeting was postponed until next week. However, with the acceptance of the code by the A.T.T.A., there is little likelihood that any "buy" could be effected. The code, of course, prohibits "buys."

Film Board Elects Bowen President

(Continued from page 1)

U exchange, sergeant-at-arms in 1939, treasurer; Myron Sattler, manager of Paramount's New York branch, re-elected secretary, and Joseph J. Felder, head of the Monogram exchange in New York, sergeant-at-arms.

Installation of officers will be held within 10 days.

Ampa Guests Today

Betty Grable of "Du Barry Was a Lady" and Ezra Stone, director of "See My Lawyer," are scheduled to appear at the Ampa luncheon at Stouffer's restaurant today. John Chapman, *News* columnist, will speak.

'Wind' Strong In All Cities; Field Staff Gets Data Here

Wired reports to the Loew circuit home office yesterday indicated a heavy advance sale on "Gone With the Wind" for the Jan. 26 openings at Loew theatres.

With tickets placed on sale early in the week, reservations were reported as follows: Rochester, $12,500; Nashville, $6,500; Memphis, $4,500; Baltimore, $11,000; Indianapolis, $2,400; St. Louis, $4,500; Wilmington, $2,000; Washington, $7,200; Toronto, $4,900; Springfield, $2,200; New Orleans, $4,600; Worcester, $1,200; New Haven, $2,000.

Loew's in Jersey City, which put tickets on sale yesterday morning, reported 70 per cent of the first night sold by night fall. A total of more than 5,000 telephone reservations were reported before the tickets arrived.

In addition, a sale of $40,000 was reported in Philadelphia since Friday for the two-a-day engagement at the Boyd and reserved evening and Sunday matinee seats at the Earle, starting Jan. 18 and 19, respectively. These are Warner theatres.

Joseph R. Vogel, operator of Loew's out of town theatres, was elated and said "the figures are so big I can hardly believe them."

Loew's has ordered more than 3,000,000 reserved seat tickets so far. The circuit is making a drive to sell out the first night show and plans to start each of its engagements with a "dress-up" premiere.

Reserved seat tickets are being placed on sale only for the first week of the Jan. 26 openings. The advance sale already includes 50 to 70 per cent of capacity of the first night shows. Loew houses opening Feb. 1 have not placed tickets on sale yet but report thousands of telephone reservations. Mail orders are reported heavy.

Loew's is putting on from six to 10 extra office employes in each theatre to handle the reserve seat detail. Special boxoffices have been erected in the lobbies.

Although the newspaper ads continue to say that seats at the Capitol on Broadway are not reserved, the management reports receiving about 500 telephone calls a day for reserved seats. The number of telephone calls at the theatre has increased to about 5,000 daily, mostly for information on starting time of the picture, when it breaks and if seats are available.

M-G-M's national exploitation campaign on "Gone With the Wind" was detailed to field exploitation representatives covering the United States and Canada at a meeting at the Hotel Astor yesterday. William R. Ferguson, exploitation manager, conducted the session.

Ferguson described the ballyhoo in Atlanta in connection with the world premiere and discussed press books, accessories and publicity. Pat Reis, representing Howard Dietz, M-G-M advertising and publicity chief who is in California, and Jack Peters of Donahue & Co agency, spoke on advertising.

A big feature will be a nationwide tour during which costumes used in the film, artists' sketches and designs will be exhibited in department stores and fashion salons. The display will open in Philadelphia Jan. 16 prior to the local engagements, with Baltimore and Washington scheduled next. The tour, in charge of Capt. Volney Phifer, will continue for at least six months.

Attending the meeting from the home office were: Division Managers T. J. Connors and Edward Saunders; E. W. Aaron, M. L. Simons, C. K. Stern, Eddie Carrier, Bryan Lee, J. J. Flynn, Mel Heymann and Jack Kuhn. Also present were District Managers E. K. O'Shea, New York; John J. Maloney, Pittsburgh, and John E. Flynn, Detroit.

Field representatives attending, most of whom left last night, were:

Morris Abrams, Minneapolis; James Ashcraft, Philadelphia; Charles Baron, Pittsburgh; N. E. Beck, San Francisco; W. G. Bishop, Chicago; Dewey Bloom, Toronto; A. L. Burks, Charlotte; E. B. Coleman, Dallas; C. C. Deardourff, Cleveland; Carlton Duffus, Washington; Todd Ferguson, Memphis; Elliott Foreman, New York; Jack Gilmore, Buffalo; H. W. Lambert, Omaha and Des Moines; Bert McKenzie, Boston and New Haven; Harold Marshall, Indianapolis; Claud Morris, St. Louis; Louis Orlove, Milwaukee; William Parker, Seattle; Norman Pyle, Chicago; Warren Slee, Detroit; James Shiller, Los Angeles; James Thames, Atlanta; Ernest Van Pelt, Salt Lake City; Jack Walsh, Albany; Irving Waterstreet, Kansas City; J. E. Watson, Cincinnati.

'Harvest' Dispute Still Rages

The New York Film Critics' Award for "Harvest" was still under discussion yesterday.

A group of foreign film distributors, including Joseph Burstyn, Max Goldberg, Jean Lenauer, Martin Lewis, I. E. Lopert, Archie Mayers and John S. Tapernoux, dispatched a telegram to the critics pointing out that the distributors had depended "greatly on your sympathetic support and understanding of our difficulties" and expressing embarrassment at "a newcomer to the group, in refusing to accept the award."

"More than ever," the wire continued, "we require your continued interest and we trust that this incident will not in any way reflect on the importers as a group, and the foreign films in general, which in the past have been given such considerate treatment."

Andre R. Heyman, president of the French Cinema Center, responded by calling the telegram a "deliberate attempt to capitalize on a misunderstanding." "We are proud," said Heyman, "that we as newcomers were responsible in our first venture for the release of 'Harvest'."

Meanwhile, the critics declared that they were heartily weary of the incident and declined to discuss the matter except to say that Heyman took the scroll Sunday and hadn't returned it.

Actors Relief Fund in 1939 Got $500,000

The M. P. Actors Relief Fund collected "more than $500,000" during 1939 and disbursed approximately $400,000 during the year to w[illegible] cases, Jean Hersholt, director of the fund, reported yesterday in addressing the Circus Saints and Sinners at their luncheon meeting yesterday at the Astor.

Hersholt was inducted as a "fall guy" at the session, which was attended by about 400 members, prominent in all walks of life.

Among those present were George J. Schaefer, RKO president; Richard C. Patterson, chairman of the RKO board; S. Barret McCormick, advertising and publicity director; Rutgers Neilson, RKO publicity manager; Clyde Pangborn, aviator; Former Governor Hoffman of New Jersey, "Main Guy" of the Circus Saints and Sinners; James Crowley, Fordham coach; "Larry" McPhail of the Brooklyn Dodgers; Frankie Frisch, Tex O'Rourke, "Equestrian Director" of the organization, and many others.

Einfeld in Tomorrow For '69th' Campaign

Charles Einfeld, director of advertising and publicity for Warners, will arrive from the Coast tomorrow for conferences with Mort Blumenstock on the handling of "The Fighting 69th," set for Jan. 27 release. Einfeld also will set campaigns on "Virginia City" and "The Magic Bullet."

Jack L. Warner, vice-president, will come here with Pat O'Brien, one of the three stars of "The Fighting 69th," to attend the reunion at the Waldorf-Astoria on Jan. 24 of the old 69th Regiment. James Cagney, who with George Brent stars in the film, also plans to attend. A feature of the reunion will be a screening of the Warner film. Warner and O'Brien will arrive from the Coast on Jan. 22 and Cagney will come down from his farm at Martha's Vineyard, Mass.

GN Closes Doors; Auction on Jan. 16

(Continued from page 1)

Olney yesterday. Dannenberg stated that at present he could not say what companies were bidding on Grand National property. Underwriters Salvage Co. will handle the sale.

Earle W. Hammons, former head of Grand National, plans to return to the production of short subjects if he can obtain a major releasing deal.

Orders Lloyd Answers

Harold Lloyd was ordered yesterday by Federal Judge Hulbert to answer depositions in Los Angeles on Jan. 15 in the suit of William Jordan Rapp and Lowell Brentano. Suit for $75,000 damages claims plagiarism of the plaintiffs' play, "Greek to You," in the Lloyd film, "Professor Beware."

Wind' Paces Los Angeles With $49,600

LOS ANGELES, Jan. 10.—"Gone with he Wind" maintained its strong pace n the second week here, with a total of $49,600 at two houses, $21,800 at h[illegible]arthay Circle and $27,800 at the Jnited Artists.

Estimated takings for the week ending Jan. 10:

'Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 lays. 2nd week. Gross: $21,800. (Average, 17,000)
"Balalaika" (M-G-M)
"Joe and Ethel Turp" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $11,500. (Average, $12,500)
"Of Mice and Men" (U. A.)
4-STAR—(900) (40c-55c) 7 days. 3rd week. Gross: $5,800. (Average, $3,250)
"Hunchback of Notre Dame" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days. 2nd week. Gross: $8,500. (Average, $6,500)
"Balalaika" (M-G-M)
"Joe and Ethel Turp" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $13,100. (Average, $14,000)
"Hunchback of Notre Dame" (RKO)
PANTAGES—(2,000) (30c-65c) 7 days. 2nd week. Gross: $6,900. (Average, $7,000)
"Gulliver's Travels" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. 3rd week. Stage: F. & M. revue, Rube Wolf and orchestra. Gross: $11,500. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days. 2nd week. Gross: $27,800.
"A Child Is Born" (W.B.)
"Money to Burn" (Rep.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $7,500. (Average, $14,000)
"A Child Is Born (W.B.)
"Money to Burn" (Rep.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $8,800. (Average, $12,000)

Newspaper Women To See 'Girl Friday'

New York's newspaper women have been invited to attend the opening performance of Columbia's "His Girl Friday" at the Music Hall tonight. Heading the list of those attending will be Rose Bigman, Walter Winchell's secretary.

Others expected to attend include: Miriam Lundy, Julia McCarthy, Grace Robinson, Norma Abrams, Rosalind Doherty, Edna Ferguson, Mary Flaherty, and Lillian Barker of the *Daily News;* Kathleen McLoughlin of the New York *Times;* Emma Bugbee of the *Herald Tribune;* Dorothy Kilgallen, Hannah Simmons and Peggy Altschul of the *Journal-American;* Sally MacDougall and Helen Worden of the *World-Telegram;* Mabel Green and Kay Thomas of the New York *Sun;* Dorothy Dunbar Bromley, Maurinne McCann and Dixie Tighe of the *Evening Post;* Mrs. William Brown Meloney of *This Week Magazine;* Martha Coman of the New York Newspaper Woman's Club, and Loretta Miller of King Features.

Dill to Head Fair

SAN FRANCISCO, Jan. 10.—Marshall Dill, president of the Chamber of Commerce, has been named president of the "Fair in 1940," to succeed Leland W. Cutler, who headed last year's fair.

Morley Novel to RKO

HOLLYWOOD, Jan. 10.—RKO has bought the screen rights to Christopher Morley's latest novel, "Kitty Foyle."

Theatre, Personnel Notes

Plans Cincinnati House

CINCINNATI, Jan. 10.—The Ackerman estate will build a new 900-seat suburban house, at an estimated cost of $110,000, to be known as the Sunset, in the vicinity of the Glenway, which they also operate.

Joins Loop Theatre

CHICAGO, Jan. 10.—Stuart Tomber, formerly manager of the Fargo in Sycamore, is now assistant manager of the Garrick in Chicago's Loop.

Heads B. & K. Personnel

CHICAGO, Jan. 10.—Elmer Immerman, formerly manager of the Garrick, has become director of personnel of the Balaban & Katz circuit.

Cuts Operating Time

WASHINGTON DEPOT, Conn., Jan. 10.—Joseph Reed has reduced operation at the Bryan Memorial Theatre and the Bantam to four days a week.

Remodeling in Westport

WESTPORT, Conn., Jan. 10.—The Fine Arts will close shortly for complete remodeling.

Opening Connecticut House

CHESHIRE, Conn., Jan. 10.—Natale DiFrancesco will open the newly-constructed 499-seat Cheshire about Jan. 20. DiFrancesco formerly operated the Annex, New Haven, and this will be Cheshire's first motion picture theatre.

Fire Damages House

ST. LOUIS, Jan. 10.—The LaRose in Roseville, Ill., operated by George Spicer, was damaged by fire that started in the projection booth.

Building Kansas House

QUINTER, Kan., Jan. 10.—Wesley Bolen is opening a new 300-seat house in a converted building here.

Using Name Bands in Miami

MIAMI, Jan. 10.—New policy of the Plaza, Miami Beach, is to use "name" bands plus films.

To Improve Illinois House

SPRINGFIELD, Ill., Jan. 10.—Kerasotes Brothers here will spend $26,000 for improvement of the Senate.

Miami Concern Chartered

MIAMI, Jan. 10.—Biscayne Boulevard Theatre Corp. here has been chartered with capital stock of 100 shares, by I. Padgett, T. H. Teasley and G. S. Bowlidge.

Plan New Kansas House

KANSAS CITY, Jan. 10.—A. J. Simmons and Warren Weber, who operate the Plaza at Howard, Kan., are planning a new $20,000 theatre at Burlington, Kan., to seat 400.

Buys Missouri Theatre

KANSAS CITY, Jan. 10.—L. G. Lay has taken over the Louis, Negro patronage house, St. Joseph, Mo., from M. B. Presley, who operates the Globe, Savannah, Mo.

Abrams Joins Big Feature

Harry Abrams has been appointed manager of the Indianapolis office of Big Feature Rights Exchanges. Alliance Films Corp. franchise holder in that territory.

Named Theatre Assistant

OKLAHOMA CITY, Jan. 10.—John Trotter has been promoted to assistant manager of the Plaza, Standard Theatres Corp. house. Roy Davenport, manager of the downtown Warner, has resigned to go to Dallas, where he will manage the Joy, owned by Tol Teeter.

Sells Virginia Theatre

CHATHAM, Va., Jan. 10. — J. C. Hester has sold the Ritz here to E. E. Branscome of the Brancome Circuit.

Heads Theatre Company

ST. LOUIS, Jan. 10.—L. Earl Stephenson has been named president of the recently organized Missouri Theatre Corp. of St. Joseph, Mo.

Quits Indianapolis House

INDIANAPOLIS, Jan. 10.—Tech Nicholas, manager of the Lyric here, has resigned to become manager and personal representative of Orrin Tucker and his orchestra and Bonnie Baker.

Sutton Joins 20th-Fox

DENVER, Jan. 10.—Thomas Sutton, assistant manager at the Tabor, has joined 20th Century-Fox as a student salesman.

Open in Louisiana

LAKE CHARLES, La., Jan. 10.—The Dixie, new neighborhood house of the Southern Amusement Co., has opened here.

Tips on Exploitation

U.A. Is Dramatizing 'Mice' Scene on CBS

United Artists has concluded arrangements with CBS for a dramatization of a scene from the Hal Roach-United Artists production, "Of Mice and Men" on the "Pursuit of Happiness" program over a nation-wide hookup on Sunday at 4:30 P. M.

Burgess Meredith, Lon Chaney, Jr., and Roman Bohnen will appear on the radio program in their screen roles.

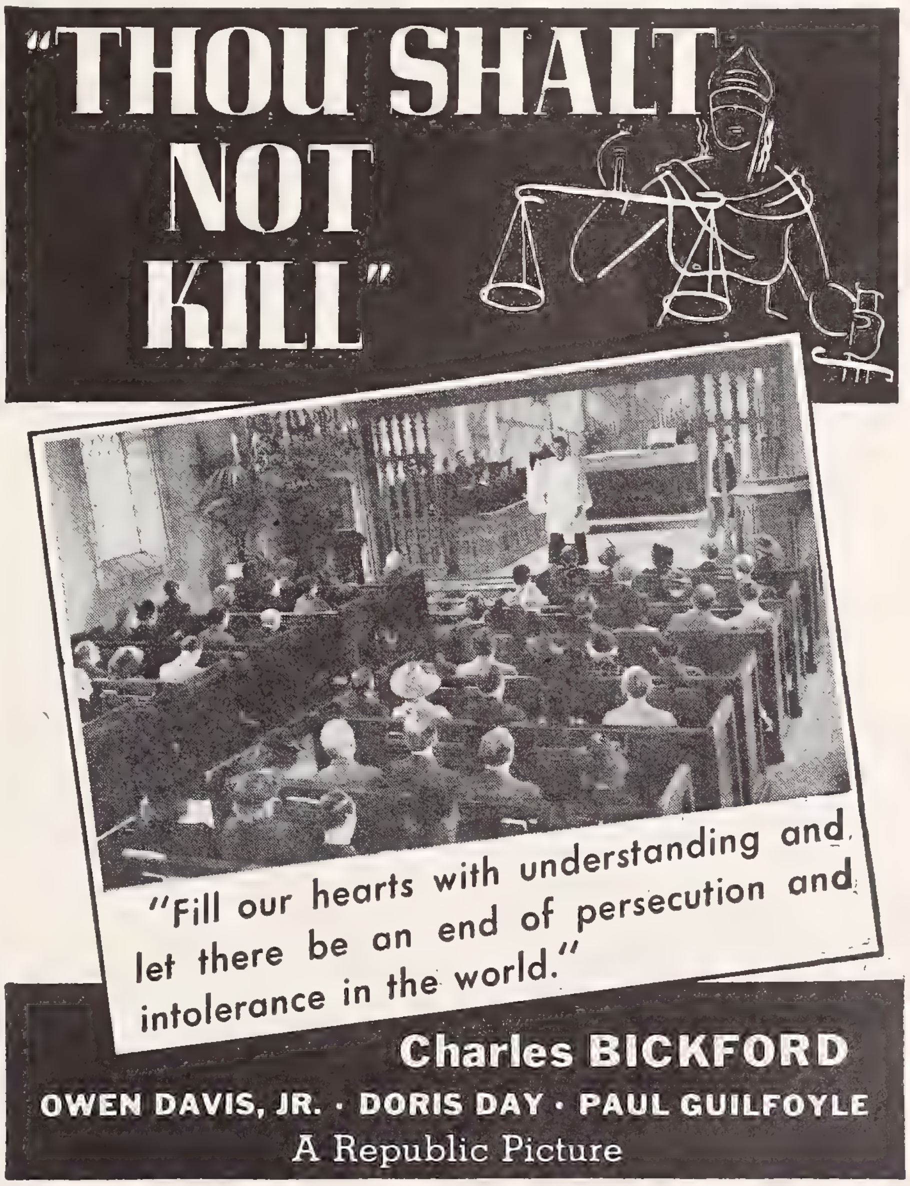
Coloring Contests Used for 'Gulliver'

Coloring contests planted by exhibitors in local newspapers in seven cities, Boston, Birmingham, Atlanta, Syracuse, Buffalo, Cleveland and Detroit, were arranged on "Gulliver's Travels." Scenes from the picture were published daily, and prizes awarded for the most artistic coloring.

'Father and Son Week' Exploits 'Judge Hardy'

COLUMBUS, Jan. 10. — Russell Bovim, manager of Loew's Ohio, has declared the current seven days to be "Father and Son Week," in connection with the showing of "Judge Hardy and Son." Bovim also declared the week dedicated to Mickey Rooney in recognition of his recent top award in the nation-wide poll of exhibitors by *Fame*.

Fathers are invited to bring their sons, and vice versa.



"THOU SHALT NOT KILL"
"Fill our hearts with understanding and let there be an end of persecution and intolerance in the world."
Charles BICKFORD
OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon*	Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22		Judge Hardy & Son *Mickey Rooney Lewis Stone*	Gentleman from Arizona *Craig Reynolds*	Gulliver's Travels	Days of Jesse James Thou Shalt Not Kill	Escape to Paradise *Bobbie Breen*	Everything Happens at Night *Sonja Henie*	Slightly Honorable *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*
Dec. 29	My Son Is Guilty *Bruce Cabot Jacqueline Wells*	Balalaika *Nelson Eddy Ilona Massey*		The Great Victor Herbert *Walter Connolly Mary Martin*	Money to Burn *Higgins Family*	Hunchback of Notre Dame *Laughton*	The Cisco Kid and the Lady *Cesar Romero*	Raffles *David Niven de Havilland*	Destry Rides Again *Dietrich-Stewart*	Invisible Stripes *George Raft Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett*	The Earl of Chicago *Montgomery Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry Louise Campbell*		Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche Andrea Leeds*		Oh Johnny How You Can Love *Tom Brown*	A Child Is Born *Geraldine Fitzgerald Jeffrey Lynn*
Jan. 12	Music in My Heart	The Shop Around the Corner *Sullavan-Stewart*	The Secret Four *Frank Lawton* Fatal Hour *Boris Karloff*	Geronimo *Preston Foster Ellen Drew Andy Devine*	Heroes of the Saddle *3 Mesquiteers*	Mexican Spitfire *Lupe Velez Leon Erroll*	City of Chance *Lynn Bari C. Aubrey Smith*	Of Mice and Men *Burgess Meredith Lon Chaney, Jr.*	The Invisible Man Returns *Sir Cedric Hardwicke*	Brother Rat and a Baby *Jane Bryan Priscilla Lane*
Jan. 19	His Girl Friday *Cary Grant Rosalind Russell*	Congo Maisie *Ann Sothern John Carroll*	Hidden Enemy *Warren Hull*	Remember the Night *Stanwyck MacMurray*	Wolf of New York *Edmund Lowe*	Married and in Love *Alan Marshall Barbara Read*	He Married His Wife *Joel McCrea Nancy Kelly*	Rebecca *Laurence Olivier Joan Fontaine*	West of Carson City *Johnny Mack Brown*	British Intelligence *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes *Warren William Joan Perry*	Lambeth Walk *Lupino Lane*	Pioneer Days *Jack Randall*	Santa Fe Marshal *William Boyd*	Village Barn Dance *Cromwell Doris Day*	Swiss Family Robinson *Bartholomew*	High School *Jane Withers Joe Brown, Jr.*		Green Hell *Constance Bennett Fairbanks, Jr.*	Fighting 69th *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier Convicted Women	Strange Cargo *Clark Gable Joan Crawford*	Chasing Trouble *Frankie Darro*	Parole Fixer *William Henry Virginia Dale*		The Marines Fly High *Richard Dix Lucille Ball*	The Man Who Wouldn't Talk *Lloyd Nolan Jean Rogers*		Dangerous Wheels *Arlen-Devine*	
Feb. 9	Five Little Peppers at Home *Edith Fellows*	Broadway Melody of 1940 *Astaire-Powell*	East Side Kids *Vince Barnett*	Light That Failed *Colman-Huston*		Isle of Destiny *Gargan-Ford*	Little Old New York *Faye-MacMurray*		My Little Chicadee *Mae West W. C. Fields*	
Feb. 16		Arise and Beware *Del Rio-Beery*	Murder on the Yukon *James Newill*	Sidewalks of London *Laughton-Leigh*		Vigil in the Night *Lombard-Aherne*	Young As You Feel *Jones Family*		Honeymoon Deferred *Lowe-Lindsay*	
Feb. 23		Northwest Passage *Tracy-Young*	Cheyenne Kid *Jack Randall*	Knights of the Range *Jean Parker*		Pinocchio	They Came By Night *Will Fyffe*		Framed *Constance Moo Johnnie Downs*	

Paramount Pictures
Book these PARAMOUNT SHORTS when you book your features!
DECEMBER 29 Headliner FRANKIE MASTERS AND HIS ORCHESTRA
JANUARY 5 Color Cruise CUBA
JANUARY 19 Paragraphic SUGAR WIND
JANUARY 19 Popeye the Sailor SHAKESPEARIAN SPINACH
100% BOX OFFICE tested

Debate Pro, Con Of Block Booking

(*Continued from page* 1)

he Neely bill, however, asserting that ts ramifications "make block booking but one feature" of it.

Depinet, opposing the abolition of block booking, describes its origin and growth as a natural and essential method of wholesale distribution of films. He denies that its elimination w[illegible] result in better pictures for exhibitors and the public, contending that the production risks which it would introduce would increase film costs and admissions regardless of the individual merit of a production.

He reminds that with percentage engagements and a cancellation right most films already stand on their own when offered to the exhibitor and the public. Depinet ascribes much of the support for abolition of block booking to relatively small but articulate segments of the film audience, whose individual likes in motion pictures are not reliable as production or exhibition guides to the tastes of the masses.

He asserts that the Neely bill is thought "by a large proportion of the industry to be an amazing example of misleading, deceptive and confused legislation, destined to wreak havoc" in the industry.

Indiana Theatres Fight School Films

INDIANAPOLIS, Jan. 10.—Counsel for the Associated Theatre Owners of Indiana has been instructed by the board of directors to institute legal proceedings against the Sunman, Ind., school board in an effort to prohibit use of school property for other than school purposes.

The association charges that the board is presenting films in the school each Saturday night with admissions at 10 and 15 cents and in addition has offered cash awards to induce increased attendance.

"This is one of the first test cases entered by the association," the directors said in making the proposed action public, "and if successful may have considerable bearing on similar situations throughout Indiana."

Nathanson Takes Option on Shares

TORONTO, Jan. 10.—President N. L. Nathanson of Famous Players Canadian Corp. has taken up the balance of his option on common shares of the company for 1939 at a price of $15 per share, the block of stock remaining under his agreement with Famous Players being 5,000 shares. Nathanson has 11,000 shares under option of purchase next July at $16 and a final block of 11,000 shares to be taken up in 1941 at $17.

Gary Anti-Trust Suit Delayed Indefinitely

CHICAGO, Jan. 10.—The anti-trust suit of Gary Theatres against Balaban & Katz Circuit, Warner Theatres and the major distributors, came up for trial today, but was indefinitely postponed.

It is understood here that the attorneys in the case are awaiting the outcome of the Government anti-trust suit against the major companies in New York.

Feature Reviews

"Music in My Heart"

(*Columbia*)

HOLLYWOOD, Jan. 10.—Showmen are offered such saleable merchandise as the singing of Tony Martin, Andre Kostelanetz and his band, chosen fourth among popular dance orchestras in MOTION PICTURE DAILY'S annual poll of radio editors, the tunes of Robert Wright and Chet Forrest and the personalities of Rita Hayworth, Edith Fellows, Alan Mowbray and Eric Blore in "Music in My Heart."

The story, an original by James Edward Grant, places Martin in the role of a singer whose permission to remain in the country has expired, as his parents neglected to file citizenship papers. En route to the boat on which he is to be deported, a taxicab collision provides an introduction to a girl trying to catch the same boat in order to be married.

The boat is missed, with every opportunity from there on in the story—which eventually brings the two together permanently—being used to advantage by director Joseph Santley as a means of presenting the musical abilities of his cast, abilities which were heard with appreciation by the preview audience.

As produced by Irving Starr, the picture is pleasant and unpretentious entertainment, at its best in the many musical moments woven into the story.

Running time, 70 minutes. "G."* WALTER SELDEN

"Cafe Hostess"

(*Columbia*)

Set in the background of a shady night club, "Cafe Hostess" is a routine melodrama of a hostess (Ann Dvorak) who is unhappily engaged in entertaining the customers, drinking with them and lifting their wallets when they become tipsy. Her impulse to leave is thwarted when she sees another former entertainer, Wynne Gibson, return from an unsuccessful effort to escape the environment.

The arrival of Preston Foster, a sailor on shore leave, further complicates Miss Dvorak's dilemma. Douglas Fowley, the club owner, threatens to kill Foster when the latter discovers some incriminating evidence. However, Fowley is killed in a free-for-all staged by Foster and his sailor companions.

The players do much to enliven the story and there are several humorous interludes. The experienced cast also includes Arthur Loft, Bruce Bennett, Eddie Acuff, Bradley Page and others. Sidney Salkow directed.

Running time, 63 minutes. "A."* EDWARD GREIF

**"A" denotes* adult classification.

"Macushla"

(*Stellar Productions*)

This Irish film, directed by Alex Bryce, with exteriors filmed in northern Ireland, is moderately entertaining screen fare, which doubtless will find a sympathetic and ready audience among Irish patrons. For others, the film has little that is sufficiently outstanding to intrigue them.

It is well produced and ably cast. Pamela Wood, as the daughter of a farmer who is engaged in smuggling after border guards are instituted, has the leading role. Jimmy Mageean is the father, Max Adrian her brother, member of a revolutionary group, and Liam Gaffney a member of the border guard and sweetheart of Miss Wood.

There is much excitement and action in the closing sequences, as the hideout of the group is discovered. It catches fire, and Adrian saves Gaffney and makes good his own escape. There is humor, too, of the Irish variety, while the dialogue and dialect in themselves are entertaining.

Running time, 80 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Cabanne for Wallace

HOLLYWOOD, Jan. 10.—Universal has assigned Christy Cabanne to direct "Alias the Deacon," replacing Richard Wallace who will take over the preparation of the Pasternak production, featuring Gloria Jean, which follows "If I Had My Way."

Roosevelt Changes Title

HOLLYWOOD, Jan. 10.—"Storm in Paradise," which the authors, David Boehm and Henri Verstappen, are adapting for James Roosevelt's Globe Productions, will be known as "Two on a Tour." United Artists will release the film.

Ticket Tax Revenue Slumps $1,330,000

(*Continued from page* 1)

from cabarets and roof gardens, against $1,516,748.

Heaviest box-office collections were $6,402,255 in New York State, against $6,933,909 in 1938; $2,025,017 in California, against $2,042,397, and $1,404,081 in Illinois, against $1,629,549. Lightest collections were $4,958 in North Dakota.

Greatest percentage gain was recorded in Georgia, where collections jumped from $71,486 to $184,496. Sharpest drop was in Utah, from $41,322 to $17,221.

Box-office admission tax collections by states in 1939, compared with 1938, were as follows:

	1939	1939
Alabama	$62,130	$52,918
Alaska	23,940	21,764
Arizona	16,428	20,780
Arkansas	26,979	44,922
California	2,025,017	2,042,397
Colorado	85,233	113,007
Connecticut	192,895	187,174
Delaware	50,855	42,975
District of Columbia	226,087	260,103
Florida	259,782	258,768
Georgia	184,496	71,486
Hawaii	61,508	59,351
Idaho	12,722	15,817
Illinois	1,404,080	1,629,549
Indiana	148,364	294,370
Iowa	77,955	66,618
Kansas	49,242	49,844
Kentucky	69,474	59,497
Louisiana	100,031	89,983
Maine	27,533	32,651
Maryland	264,247	303,894
Massachusetts	848,718	1,058,915
Michigan	539,026	612,927
Minnesota	134,900	185,465
Mississippi	9,021	7,822
Missouri	336,899	345,145
Montana	13,252	18,206
Nebraska	49,188	48,173
Nevada	9,203	8,312
New Hampshire	24,148	59,209
New Jersey	492,224	492,558
New Mexico	13,187	13,741
New York	6,402,255	6,933,909
North Carolina	80,922	69,466
North Dakota	4,958	3,056
Ohio	545,857	546,944
Oklahoma	72,135	88,160
Oregon	54,826	90,180
Pennsylvania	933,574	900,874
Rhode Island	116,585	137,316
South Carolina	42,201	26,097
South Dakota	8,717	8,560
Tennessee	100,452	87,816
Texas	479,258	481,289
Utah	17,220	41,322
Vermont	6,482	6,806
Virginia	103,839	115,402
Washington	113,683	153,196
West Virginia	26,590	22,823
Wisconsin	130,092	130,986
Wyoming	17,988	10,741
Total	$17,096,415	$18,423,307

Mack Heads Musicians

MIDDLETOWN, O., Jan. 10.—Abe Mack has been installed as president of the Musicians' Protective Association, affiliate of the American Federation of Music here. Other officers installed were: Ed Christmann, vice-president; Earl Mendenhall, secretary and treasurer; Eugene Goldflies, business agent; Blaine Whitt, sergeant-at-arms, and Harold Norris, Herman J. Copp and Glenn Russell as members of the executive board.

Plan Benefit Showing

ST. JOHN, N. B., Jan. 10.—All film exchanges here have offered pictures without charge for a proposed midnight show by the new Film Girls' Patriotic Club. The receipts would be used for club purposes in connection with their patriotic activities, including knitting of sweaters, mitts, jackets, caps, socks for Canadian soldiers, sailors and airmen.

Center Theatre Will Show 'Pinocchio'; Expects to Break 'Snow White' Gross

70% Price Is Reported; Opening in February; Admission Boosted

(*Continued from page 1*)

75 cents per seat at the 3,200-seat theatre.

"Snow White" at the Music Hall played at an admission scale of 40 cents to $1.65. The run averaged 68 cents per seat at the 6,200-seat theatre.

The picture is going into the Center because the Music Hall's bookings would have become seriously congested if "Pinocchio" were played there on a greatly extended run such as is contemplated at the Center.

Music Hall Schedule Crowded

The Music Hall's schedule of pictures would have become dislocated too severely, and the Rockefeller management of that theatre considered that its obligations to other distributors whose product it already has purchased and booked should be fulfilled.

RKO alone has nine of its big films scheduled for the Music Hall, most of which might have been dislodged from their bookings had the Disney picture gone into that house. These RKO films include "His Girl Friday," "Shop Around the Corner," "Swiss Family Robinson," "Vigil in the Night," "Primrose Path," "Irene," "My Farmer's Wife," and "Tom Brown's Schooldays."

The regular RKO sales policy on "Pinocchio," as announced by the company in December, calls for sale of the picture on a 50-50 basis with exhibition restricted to single runs. The terms were announced as applying uniformly everywhere and that the picture would not be sold anywhere on a flat rent basis.

After 'Snow White's' Record

"Snow White" attained a domestic gross of upwards of $4,000,000 which the RKO people are going to try to exceed it with "Pinocchio."

The Center Theatre has been utilized by the Rockefeller Center management as a special stage show attraction house and opera house. However, with "Pinocchio" playing there, Rockefeller Center once again will have two picture houses, this one and Radio City Music Hall.

The Center was opened as a straight film house in December, 1933, but was later darkened and reopened as a special attraction theatre.

George Stroud Honored

TORONTO, Jan. 10.—Continuously a theatre manager in Hamilton, Ont., since he took charge of the Savoy, a vaudeville house, in 1910, George Stroud was accorded tributes on the completion of 30 years in the business. He is manager of the Palace, a Famous Players unit.

Netco Official Testifies

BOSTON, Jan. 10.—George C. Walsh of Netco Theatres Corp. was on the stand all day today in the Morse and Rothenberg anti-trust suit against the major film companies and he is due to spend the greater part of tomorrow there as his testimony is continued.

NBC Bans Chance Games

NBC yesterday issued its new program policies to conform with changes made under the N.A.B. code. Under the heading of contests there appears:

"Contests must offer the opportunity to all contestants to win on the basis of ability and skill, rather than chance. Games of chance are not acceptable."

When queried about the acceptability of Horace Heidt's "Pot of Gold" which gives $1,000 weekly on a pure chance basis, program officials declined to be quoted. However, the official answer was:

"We accept it as an experimental program and we are watching the reactions. Because of program balance, we have turned down similar programs."

The Power of Radio

WOR broadcast a call Friday night for the wife of a patrolman who had died suddenly. She was known to be heading South in an automobile without a radio. Four hours after the announcement, a private car, noting the license plates, drew alongside to give her the message.

Program Renewals

Philip Morris cigarettes have renewed "Johnny Presents" over 82 CBS stations. . . . Ethyl Gasoline has extended "Tune Up Time" over 66 CBS stations until the end of the year and Prudential Insurance has done the same with "When a Girl Marries" over 51 CBS stations. . . . Bisodol has renewed "Mr. Keen, Tracer of Lost Persons," over 38 NBC-Blue stations.

Personalities in the News

George Gallup, head of the American Institute of Public Opinion, speaks over Mutual Saturday, Feb. 3, at 9 P. M. . . . Raymond C. Cosgrove has been named vice-president of the Crosley Corp., operating WLW and WSAI. He has also been appointed general manager of the manufacturing division. . . . Bette Davis will receive the *Redbook Magazine's* "Motion Picture Award for 1939" when she appears on the "Gulf Screen Guild Theatre" Sunday.

One-Minute Interview

"We sell time only to companies who have merchandise or services to sell, and to candidates of legal political parties during the campaign. All other organizations may have time free but cannot buy it," said Major Lenox R. Lohr, NBC president, over cocktails the other night.

New Programs

"Little Orphan Annie" and "Carters of Elm Street" script shows, sponsored by the Wander Co. for Ovaltine, start over one of the largest hookups used for daytime script shows, 84 Mutual stations, on Monday, Jan. 22. . . . To meet the objections against German language programs, WCNW will air a program by the German-American Writers' Association, of which Thomas Mann is president, on Thursdays at 6:30 P. M., starting today. . . . George Jessel's "Celebrity Program" moves to its new Thursday 8 P. M. spot tonight.

700 Canada Houses To Show War Short

MONTREAL, Jan. 10.—"Call to a Nation," a short subject explaining Canada's need for a new national war loan, will appear in more than 700 theatres across the Dominion this week-end. It was produced by the National Film Board.

Engagement Party

Vincent Borrelli, assistant manager of exchange operations for Columbia, and Claudia Simonson, who has been associated with the company for a number of years, were tendered a congratulatory banquet by Columbia executives at the Cotton Club last night, following the recent announcement of their engagement.

W. B. Names Macomber

Sherwood Macomber, head booker at the Warner New York Exchange, has been appointed office manager succeeding Sam Lefkowitz, who has been named branch manager of the merged New York, New Jersey and Brooklyn branches.

Pennsylvania ITO Supports Neely Bill

PHILADELPHIA, Jan. 10.—The Allied I.T.O. of Eastern Pennsylvania yesterday reaffirmed their support of the Neely bill. The board of governors was elected, with E. B. Gregory, Harry Pearlman, Charles Steifel, Harry Chertcoff and George Ickes named for the three-year term, and Thomas Lazarick for one year.

Sidney E. Samuelson was renamed business manager, Gregory was elected secretary and Ben Fertel, treasurer. Norman Lewis, J. Segal and Max Corr were named board alternates.

Vaudeville Extended

TORONTO, Jan. 10.—Famous Players Canadian Corp. has installed vaudeville in another theatre of the circuit, the Cartier in Hull, managed by Robert Maynard. The program policy provides two screen features and stage acts. Big-time vaudeville playing Shea's Theatre, Toronto, was recently booked into the Palace Theatre, Hamilton, on a permanent basis with weekly bills following engagements at the Toronto house.

Britain Keeps U.S. Industry Cash Frozen

LONDON, Jan. 10.—American distributors may do as they wish with their money frozen in this country, but they may not convert it to dollars.

The Board of Trade so advised exhibitors under questioning at today's conference between Trade Board officials and representatives of the Cinematograph Exhibitors Association.

The Board of Trade indicated that it has no power to prevent the acquisition of film houses or mortgages in this country by American companies using their frozen assets. The proposed Film Credits Bank of the Government is in no way related to the American money here, it was emphasized.

American companies spending the same amount of money here on production as under the existing quota will be compelled to make a certain number of minimum-cost films under a new agreement, it was declared.

The recent agreement with American companies with regard to the exportation of money, which was not published at the demand of American interests, may be published later at the request of the C.E.A., it was indicated.

The Board promised not to replace the present Films Act until a satisfactory alternative is ready, but it was hinted that if the Films Council takes an unreasonable time in the discussion, the Government alternative might be less satisfactory.

Bernhard Contract Extended 3 Years

Joseph Bernhard, general manager of the Warner theatre circuit, on March 10 last year was voted a three-year extension of his contract to March 13, 1942, it was disclosed yesterday in a report filed by the company with the Securities & Exchange Commission.

His compensation for the first year of the extension is $1,750 a week plus $500 expenses, with an increase in the second and third years to $2,000 weekly plus $500 expenses.

Hal B. Wallis, production head, received a salary of $260,000 for the year ended last August. James Cagney and Errol Flynn, received $243,000 and $181,333, respectively, for the year, and Samuel Schechner, a broker, received $61,600 in the same period.

Chicago Deal Fails

M-G-M has failed to make a deal this year with the Schoenstadt group of 10 neighborhood theatres in Chicago. As a result, the M-G-M availability of subsequent run houses in several zones has been moved up, according to John E. Flynn, district manager, who is in New York.

Cuts Prices in Berwyn

CHICAGO, Jan. 10.—The B. & K. Berwyn Theatre in Berwyn, a suburb, has cut admission prices. Other nearby theatres have done the same.

Alert,
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Picture
Industry

MOTION PICTURE DAILY

First in
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Brief,
Accurate
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Impartial

47. NO. 9 NEW YORK, U. S. A., FRIDAY, JANUARY 12, 1940 TEN CENTS

Illinois Asks Bioff Return, Serve in Jail

IA Chief Posts 2 Bonds In U. S., State Cases

SPRINGFIELD, Ill., Jan. 11.—A requisition asking California authorities to return William Bioff, I.A.T.S.E. leader in Hollywood, to Chicago to serve a six months' jail term imposed 17 years ago, was signed today by Governor Horner.

Bioff was convicted in 1923, but for some reason yet unexplained he never served the sentence, officials said.

Governor Horner, in a lengthy statement, said in part:

"In view of the fact that the defendant in this case was convicted in Illinois of a crime, has not served his sentence, and that the defendant himself made no satisfactory explanation of why his sentence was not served, I am of the opinion that the unexplained and apparently inexcusable delay or negligence of the law-enforcing officials of Cook County should not exempt the defendant from paying the penalty of the law for his crime."

Bioff Surrenders Twice; Posts Bonds, Gets Release

LOS ANGELES, Jan. 11.—William Bioff, Hollywood studio union labor leader, today surrendered himself in two cases.

He appeared before U. S. Marshall

(*Continued on page* 4)

Murphy May Drop Out in Trust Cases

WASHINGTON, Jan. 11.—President Roosevelt's latest nominee to the Supreme Court, Attorney General Frank Murphy, may not participate in the consideration of any of the Department of Justice's anti-trust suits against the motion picture industry, if and when such cases reach that tribunal, it was brought out today at a hearing on the nomination before a Senate Judiciary Subcommittee.

The subcommittee, after the hearing at which the attorney general was questioned extensively regarding his attitude on civil rights and other matters, approved the nomination, which is to be taken up for consideration by the full committee Monday.

The question of Murphy's qualifica-

(*Continued on page* 2)

Judge Frees Nick At His Fourth Trial

St. Louis, Jan. 11.—Extortion charges against John P. Nick, deposed boss of the Motion Picture Operators Union, were dismissed today by Circuit Judge Thomas Rowe, Jr.

Nick's counsel claimed the state had failed to produce sufficient evidence to warrant giving the case to the jury for consideration.

Dismissal came on the fourth day of Nick's fourth trial on the charge that he had extorted $10,000 from theatre owners in 1936 to forestall a wage increase for operators. Three previous Nick trials ended in mistrials.

Fine Arts Enters Distribution Field

HOLLYWOOD, Jan. 11.—Franklyn Warner, president of Fine Arts Pictures Corp., today announced the formation of Fine Arts Producing and Distributing Corp.

Warner plans to establish his own exchange system. The branch offices of Grand National, for which Warner produced under the Fine Arts banner, may be taken over by his new company. Warner expects to have offices in 25 key cities.

The new organization in no way affects his deal with RKO for which he will make three films, one of which,

(*Continued on page* 2)

Zukor Calls Trade Outlook Optimistic Despite U.S. Suits

By SHERWIN A. KANE

Litigation and threats of regulatory legislation are old stories to Adolph Zukor, chairman of the board of Paramount and industry veteran, who said on his arrival from the Coast yesterday that there is little about them to darken the industry's outlook.

"We have always been harrassed by suits and legislation," Zukor said. "Perhaps, there are more of them now than before but that does not necessarily mean that the industry is the worse off for it.

"Now, as ever, the industry's biggest problem is to produce more good pictures."

Zukor is scheduled to sail today on the *Santa Elena* with John W. Hicks, Paramount vice-president and foreign department head, for a two months business tour of Central and South America.

Ignoring the frequently heard theory that the Latin American market offers heretofore untapped possibilities for Hollywood product, sufficient, even, to offset to a large degree losses of European revenue due to the war, Zukor said he was convinced that Latin American business could be increased only by providing that market with more of what its present audiences want the most.

He strongly suspects that "motion" pictures are the answer, but added that the projected trip will provide

(*Continued on page* 2)

French Industry Crippled; Production Hopes Gloomy

PARIS, Jan. 11.—With the war nearly four months old, France's film industry has shown only slight recuperation from the first effects of the war. Plans for the resumption of production are not materializing and the producing industry is virtually at a standstill.

Only one important film has been started since September, and two pictures, on which production was interrupted by the war, have been completed. Two chief causes responsible for the situation are the difficulty in obtaining leaves from the army by technicians, players and directors, and the tightening of finances.

Box-office grosses have declined 50 per cent from last year, but recent figures have shown a slight increase over the first two months of the war. With blackouts frequent and many evacuations, Paris has been especially hard hit from the film standpoint. About 200 of a total of 300 houses are now operating in the city, but are required to close at 11 P.M.

The limitation of 300 persons per performance has been dropped, with capacity now determined by the number of accommodations in nearby bomb shelters. Another improvement is the elimination of the policy of revivals which had been applied in first run and suburban Paris houses as well as in the provinces.

In the provinces, business is near average in the south and west where populations have increased, partly be-

(*Continued on page* 5)

U.S. to Guard Firm Secrets in Trust Suit

Majors' Victory in Fight Over Interrogatories

The Government yesterday agreed to withhold from the public confidential information disclosed by answers of major defendants to interrogatories in the Government's anti-trust suit, in a stipulation filed in the U. S. District Court.

Such answers as relate to the terms of contracts with exhibitors and the financial position of the companies, although not specifically stated in the stipulation, will be considered confidential and will not be disclosed, reliable sources said.

The Government conceded the point, it was learned, when the majors expressed fear that a number of answers would reveal business and trade secets unfairly advantageous to competitors.

Under the agreement reached with majors, the Government can also ask that certain of its answers be with-

(*Continued on page* 4)

U.S. Critics Vote 'Chips' Best Film

"Goodbye, Mr. Chips," English-produced M-G-M picture, was selected as the best picture of 1939 by the country's film critics, in the 18th annual "Ten Best" poll conducted by *Film Daily*.

The other nine productions, in the order of their selection, were: "Mr. Smith Goes to Washington," "Pygmalion," "Wuthering Heights," "Dark Victory," "The Women," "The Wizard of Oz," "Juarez," "Stanley and Livingstone" and "The Old Maid."

A total of 542 critics responded. "Goodbye, Mr. Chips" received 472 votes, the highest total polled in the

(*Continued on page* 8)

Berman in New York For Metro Parleys

Pandro Berman arrived here yesterday from the Coast for conferences with M-G-M home office officials concerning his new post as producer for the company. He will remain in town for about two weeks before going to Florida for a vacation. Berman will return to the Coast from the South.

Purely Personal

IT looked like a convention of Paramount executives during the lunch hour at Sardi's yesterday. Dining there were Adolph Zukor, Austin Keough, Barney Balaban, Stanton Griffis, Leon Netter, Robert Gilham, Neil Agnew, Russell Holman, J. J. Unger, Leonard Goldenson, John Hicks, David E. Rose and John D. Hertz, Jr.

•

Endre De Toth, Hungarian director, arrives from Europe today on the *Rex*. Other passengers aboard include Ingrid Bergman, Swedish actress en route to the Coast, and I. Goldsmith, British producer.

•

William Orr, Tom Connors, Sam Shain, Ed Saunders, Toby Gruen, Owen Davis, Sidney Phillips, Earl Carroll and Max A. Cohen lunching at Nick's Hunting Room in the Astor yesterday.

•

Lon Chaney, Jr., arrives here today from the Coast via American Airlines. He will remain for the opening of "Of Mice and Men," Roach-U. A. film in which he appears.

•

Anita Louise left yesterday for Hartford, Conn., following a week's vacation here. A personal appearance in Chicago will follow the Hartford engagement.

•

Dave Blum, publicity director of M-G-M's foreign department, observes a birthday Monday.

•

William Dieterle, director, arrived here from Hollywood yesterday for a two-week vacation.

•

Vincent McFaul, Shea circuit manager, has returned to Buffalo after New York conferences.

•

Lee Newbury, president of New Jersey Allied, leaves late next week for a Southern trip.

Publicity, Ad Men Form Union Here

Almost 100 persons last night attended the first meeting of the newly-incorporated Screen Publicists and Advertisers Assoc. at the Piccadilly Hotel. Its purpose is to unionize publicity and advertising employees working for the 10 motion picture companies in the city. It will be an independent organization and will not be affiliated with a national labor organization, it was said. Meetings will be held every other Thursday. After becoming fully established, the group will present wage and hour demands to employers, leaders said.

Theatre Man Held For Obscene Film

St. Louis, Jan. 11.—Samuel Millard, exhibitor of "Condemned," a film dealing with social disease, was arrested at the Lyric theatre for the second time last night on a charge of showing an obscene film. He was released on $1,000 bail and is to appear in court next Wednesday.

Zukor Calls Trade Outlook Optimistic

(*Continued from page* 1)

Hicks and himself with the opportunity to make certain of this.

"We haven't paid enough attention to the foreign markets, especially the Latin American market, in the past," he said. "My observation has been that these people cannot be fully entertained by pictures overburdened with sub-titles. The essential for mass appeal is action and a minimum of dialogue.

"That is wanted just as much today as it was 15 years ago."

Asked his opinion of Mayor LaGuardia's efforts to win production for New York City, Zukor said he regarded the proposal as "not very practical." He continued:

"I do not say that the mayor's idea is sound or unsound. His effort may be successful. But I see no more reason for bringing production to New York from Hollywood than for bringing the motor industry here from Detroit or the packing industry from Chicago.

"To amount to anything, the movement would have to be made very gradually and would have to be without interruption."

"I am sure," he said, "that away from Hollywood's limited horizons, writers, directors and players would have a different outlook and their pictures undoubtedly would be different from Hollywood's."

Fine Arts Enters Distribution Field

(*Continued from page* 1)

"Isle of Destiny," is now being delivered, Warner said.

The new schedule calls for 26 features and 16 outdoor action melodramas. The first releases will be five productions which a New York court ordered Grand National to return to Warner. They are "Shadows Over Shanghai," "Frontier Scout," "Cipher Bureau," "Long Shot" and "Panama Patrol."

Productions to go before Fine Arts cameras within the next three weeks are "Dead Man Cipher," "SOS Submarine," "Derelict Street," "At Your Age" and "Interference."

Warner announced that additional exchanges will be set up as speedily as possible. He expects the entire distributing organization functioning from Coast to Coast by the time the first of the new pictures is completed.

Sol Edwards is Warner's Eastern manager.

Murphy Questioned On Trust Suit Stand

(*Continued from page* 1)

tion to sit in judgment on any of the cases actively before the Department while he was its head was raised by Chairman Burke, who called attention to reported plans of the Department to seek a reconsideration of a recent four-to-four decision in an anti-trust case against the oil industry after the vacancy on the court had been filled.

Answering an inquiry by the chairman as to whether he cared to say what course he would take, Murphy said he did not know enough about the particular suit to commit himself but asserted that, if he finds he is disqualified, he will "lean backward" in that direction.

Actor Huston Backs Mayor on N. Y. Films

Walter Huston is the first actor to publicly support Mayor LaGuardia's campaign to bring production to New York.

"Pictures can be made here as well as in Hollywood," says Huston. "This is the amusement center of the country. It would seem only natural to concentrate film, stage and radio activities here."

Court Gets Vineland Writ Appeal Monday

Arguments on the appeal of Warner theatres and major distributors from the order of Judge Kirkpatrick of Philadelphia granting a preliminary injunction to the Landis Theatre, Vineland, N. J., will be heard Monday in the U. S. Circuit Court of Appeals, Philadelphia.

William Schnader, Philadelphia attorney, and Harry Shapiro will represent the distributor defendants. Morris Wolf, the Grand and Globe, defendant Warner theatres, and Ben Golder will represent Vitagraph, Inc.

Judge Kirkpatrick's order of Nov. 6 last held that a master contract between the distributors and the Warner theatres violated the anti-trust laws and temporarily enjoined the defendants from continuing the contract in effect.

Roosevelt to Make Exhibitor Survey

Los Angeles, Jan. 11. — James Roosevelt will make a series of visits to representative exhibitors to discuss types of pictures in demand by audiences throughout the country before starting production on his first United Artists release.

His first visit will be to officials of the Jensen and Von Herberg circuit, Portland. While in that city he will attend a banquet being tendered Ted R. Gamble, a Jensen and Von Herberg manager, on Jan. 20 by the Portland Junior Chamber of Commerce, which has cited the theatre man as the city's "outstanding junior citizen of 1939."

Banquet to Honor Astor's Noted Nick

Nick Lorang, major domo of the Hunting Room at the Astor Hotel, will be honored at a banquet on Jan. 27 at the hotel. It will be attended by hundreds of notables from every branch of show business besides other industries. Nick, as he is known to thousands who lunch and dine in the famous room, has been host to most of the famous names in show business for the past quarter of a century.

Dunphy Organizes Film-Making Firm

Organization of an independent company to produce two pictures in New York was announced yesterday by C. J. Dunphy, former stock broker and former studio publicity director for Paramount.

He said the company, as yet unnamed, will spend $600,000 for its first two films. He said scripts have been completed and stars selected, but declined to reveal details.

Newsreel Parade

The weekend issues of the news reels feature the coverage of the Jack son Dinner in Washington. Produc tion of U. S. Army bombers, launch ing of a drive against paralysis an shots of the new commander of th U. S. fleet are included. Reels their contents follow:

MOVIETONE NEWS, No. 36—Jackso Day dinner. Production of bombers i Seattle. Test new pontoon boat. Launc "March of Dimes" drive. Richardson i new naval chief. Tom Dewey holidays wit family. Ballet set for New York opening Ice skating races. Golf tournament. Le Lehr.

NEWS OF THE DAY, No. 234.—Demo crats in Washington. Navy changes flee chiefs. Super bombers made in Washing ton. Judy Garland and Mickey Rooney i paralysis drive. Tiger taming in Chicago Open Golf tournament in Los Angeles Golden Glove bouts in New York.

PARAMOUNT NEWS, No. 39—Holly wood appeals for infantile paralysis fund Roosevelt addresses Jackson Day diners Little wins golf tournament. British sailor in Montevideo. Dewey vacations with family. Mass production of Army bombers Lou Gehrig on parole board. Connie Mack celebrates birthday.

RKO PATHE NEWS, No. 51—Jackson Day dinner. Dewey at home with family Anniversary of Red Revolution. Navy shifts fleet commanders. Speed production of planes for army. Golf tournament.

UNIVERSAL NEWSREEL, No. 840—Jackson Day observed. Dewey relaxes before presidential battle. Bombers produced for Army. "March of Dimes" started. Hat fashions. Golf tournament. Dempsey dedicates pool. Golden Glove bouts in New York. Ice skating.

Writer Seeks Writ Against 'Mr. Smith

Los Angeles, Jan. 11.—An injunction action to restrain Columbia from further distribution of "Mr. Smith Goes to Washington" was filed in Federal District court here today by Louis Ullman, writer.

The action asserts that the plaintiff submitted a story to Columbia entitled "Three Little Tales Go to Market," and alleges that certain characters and material from the story were used in the Frank Capra production subsequently.

See 'Peace on Earth'

Representatives of the French, Italian, Japanese and Chinese consulates last night attended a showing of "Peace on Earth," M-G-M anti-war cartoon, which was screened for the New York University motion picture appreciation class conducted by Dr. Frederick Thrasher.

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NBC WINS

Nation-wide Popularity Polls!

NBC WINS

World-Telegram Poll!

Takes 12 out of 15 first places!

Favorite Program	JACK BENNY
Outstanding New Star	ALEC TEMPLETON
Popular Male Singer	BING CROSBY
Favorite Studio Announcer	DON WILSON
Popular Classical Singer	NELSON EDDY
Popular Quarter Hour Program	FRED WARING
Best Comedian	JACK BENNY
Popular Orchestra	GUY LOMBARDO*
Favorite Sports Announcer	BILL STERN
Favorite Quiz Program	INFORMATION PLEASE
Favorite Commentator	LOWELL THOMAS
Favorite Symphonic Conductor	TOSCANINI

*Shared with CBS

NBC WINS

Fame Poll (Made by Motion Picture Daily and Motion Picture Herald)

Takes 16 out of 22 first places!

Open Champion	EDGAR BERGEN (Charlie McCarthy)
Film Stars on Air	DON AMECHE
Dramatic Series	ONE MAN'S FAMILY
Comedians	JACK BENNY
Comediennes	FANNY BRICE
Comedy Teams	FIBBER McGEE AND MOLLY
Popular Singers, Male	BING CROSBY
Classical Singers, Male	NELSON EDDY
Classical Singers, Female	MARGARET SPEAKS
Popular Dance Orchestras	GUY LOMBARDO*
Swing Dance Orchestras	BENNY GOODMAN
Classical Orchestras	NBC SYMPHONY
Popular Musical Programs	KAY KYSER'S COLLEGE OF MUSICAL KNOWLEDGE
Comedy Series	JACK BENNY
Announcers	DON WILSON
Commercials	JELL-O PROGRAM

*Shared with CBS

Once again U. S. and Canadian radio editors award majority of "firsts" and other coveted positions to NBC programs and artists

NBC WINS

Cleveland Plain Dealer Poll!*

Takes 14 out of 18 first places!

Favorite Personality	CHARLIE McCARTHY
Favorite Program	CHASE & SANBORN
Best Master of Ceremonies	DON AMECHE
Best Classical Male Singer	NELSON EDDY
Best Classical Female Singer	LUCILLE MANNERS
Best Popular Male Singer	BING CROSBY
Best Comedian	JACK BENNY
Best Dramatic Serial	ONE MAN'S FAMILY
Best Light Classical	FIRESTONE HOUR
Best Dance Band	GUY LOMBARDO**
Best Variety Hour	CHASE & SANBORN
Best Quiz Show	INFORMATION PLEASE
Best Commentator	LOWELL THOMAS
Best Educational	CHICAGO ROUND TABLE

*Beside Cleveland, readers in 149 cities and towns participated in the balloting.
**Shared with CBS

IN NEARLY every classification in the *World-Telegram, Cleveland Plain Dealer* and *Fame* Polls, NBC artists or programs held the majority of the choice positions. Naturally NBC is proud of these sweeping victories. We thank the advertisers and agencies who made these programs possible. And to the radio editors whose votes decided the winners, we are deeply appreciative.

NATIONAL BROADCASTING COMPANY

WORLD'S GREATEST BROADCASTING SYSTEM • • *A Radio Corporation of America Service*

'Hunchback' Philadelphia Hit, $26,500

PHILADELPHIA, Jan. 11.—With the Sunday blue laws against the sale of liquor on New Year's Eve, downtown houses had one of the best weeks in years. Best business was done at the Stanley, with "The Hunchback of Notre Dame" pulling $26,500, and "Four Wives" at the Boyd, running it a close second with a nice $22,000.

Estimated takings for the week ending Jan. 5:

"Raffles" (U. A.)
ALDINE (1,700) (32c-42c-57c-68c) 7 days, 2nd week. Gross: $14,000. (Average, $8,000)

"Another Thin Man" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run, 3rd week. Gross: $3,800. (Average, $2,600)

"Four Wives" (W. B.)
BOYD—(2,400) (32c-42c-57c-68c) 7 days. Gross: $22,000. (Average, $13,000)

"Destry Rides Again" (Univ.)
EARLE—(2,800) (32c-42c-57c-68c) 7 days. Gross: $14,000.

"Everything Happens at Night" (20th-Fox)
"Swanee River" (20th-Fox)
FOX—(3,000) (32c-42c-57c-68c) 7 days. Gross: $19,100. (Average, $13,000)

"Ninotchka" (M-G-M)
KARLTON—(1,000) (32c-42c-57c-68c) 10 days, 2nd run, 2nd week. Gross: $9,500. (Average, 7 days, $3,000)

"Judge Hardy and Son" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $6,100. (Average, $3,500)

"Gulliver's Travels" (Para.)
"The Hunchback of Notre Dame" (RKO)
STANLEY—(3,700) (32c-42c-57c-68c) 7 days. Gross: $26,500. (Average, $14,000)

"Invisible Stripes" (W. B.)
STANTON—(1,700) (32c-42c-57c) 7 days, 2nd run, 2nd week. Gross: $6,200. (Average, $4,500)

'Right' Hits $4,900 In Oklahoma City

OKLAHOMA CITY, Jan. 11.—"That's Right, You're Wrong" led the city with $4,900 at the Criterion.

Estimated takings for the week ending Jan. 6:

"That's Right, You're Wrong" (RKO)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,900. (Average, $4,500)

"High School" (20th-Fox)
"City in Darkness" (20th-Fox)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,500. (Average, $2,400)

"Four Wives" (W. B.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,100. (Average, $4,000)

"Gulliver's Travels" (Para.)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,400. (Average, $1,100)

"Eternally Yours" (U. A.)
STATE—(1,100) (20c-25c-40c) 7 days. Gross: $3,800. (Average, $3,000)

"Jamaica Inn" (Para.) 5 days.
"Judge Hardy and Son" (M-G-M)
TOWER—(1,000) (20c-25c-40c) 7 days. Gross: $1,500. (Average, $1,750)

Club Aids K. C. Children

KANSAS CITY, Jan. 11.—The local Variety Club has presented Kansas City schools with $1,150 to provide milk for undernourished school children. The fund was raised from the recent bowling tournament sponsored by the club and the Kansas City *Star*. A check for $400 went to Kansas City, Kan., schools.

Two Firms Chartered

ALBANY, Jan. 11.—Two new film companies chartered here are: Potomac Productions, Inc., New York, by James P. Feury, Martha Fleisher and Gladys Cowen, and Elwyn, Ltd., New York, by Carl Percy, William S. Scott and Morris H. Kates.

Hollywood Reviews

"The Invisible Man Returns"

(Universal)

HOLLYWOOD, Jan. 11.—Whether the keen audience appetite manifested for "The Invisible Man" in 1932 still prevails is a matter only exhibition test can establish, but if such appetite still exists—and the excitement about "Topper" a short while back would seem to argue that it does—"The Invisible Man Returns" is precisely what is needed to satisfy it.

For this is a wholly appropriate and altogether fit sequel to "The Invisible Man," an equivalent picture in every essential way and a superior one in some respects. It ends happily, instead of tragically, and it contains more that is humorous in its effect upon the spectators, making it all a pleasanter subject without diminishing its effectiveness.

The story of this picture is by Joe May, who directed it, and Kurt Siodmak, who also collaborated with Lester Cole on the screen play. It is a Ken Goldsmith production and these and all others connected with the enterprise acquitted themselves with distinction, contriving a sequel to the H. G. Wells story, on which the first picture was based directly, wholly in keeping with that precedent.

Vincent Price, whose face is not seen until the final scene, does a fine job as the name character. Sir Cedric Hardwicke plays the villain a little more broadly than is his custom. John Sutton, Cecil Kellaway, Alan Napier and Forrester Harvey are other competent principals.

Running time, 81 minutes. "G."* ROSCOE WILLIAMS

'Santa Fe Marshal"

(Paramount-Sherman)

HOLLYWOOD, Jan. 11.—The adventures of "Hopalong Cassidy," the Clarence E. Mulford character, continue in Harry Sherman's "Santa Fe Marshal," again starring Bill Boyd as the fighting enemy of crime. Boyd joins a medicine show as an entertainer in order to enter a lawless town without its residents suspecting that he is a deputy United States marshal. Posing as an ex-convict, he inveigles his way into the band of criminals headed by a woman and brings them to justice. Russell Hayden again plays "Lucky," Boyd's companion, and Bernadene Hayes supplies the love interest, the increased amount of which is a departure from the former "Cassidy" pictures.

Earl Hodgins does an outstanding characterization as the medicine show man, as does Marjorie Rambeau, in her role as leader of the criminals. Others in the cast are Britt Wood, Kenneth Harlan, William Pagan, George Anderson, Jack Rockwell and Eddie Dean.

Harry Sherman and his associate producer, Joseph W. Engel furnish here a picture commensurate with the high quality of the others in the series. Lesley Selander directed the screenplay by Harrison Jacobs.

Running time, 69 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Legion Approves Eleven New Films

The National Legion of Decency has approved 11 of 12 films reviewed for the current week. Five are classified as unobjectionable for general patronage, six as unobjectionable for adults and one was condemned. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Charlie McCarthy, Detective," "Entente Cordiale," "Man From Arizona," "Money to Burn," "Pioneers of the Frontier." Class A-2, Unobjectionable for Adults: "Child Is Born," "City of Chance," "Earl of Chicago," "The Man Who Wouldn't Talk," "Mexican Spitfire," "Raffles." Class C, Condemned: "Last Desire."

Fox Assessment Fight

N. Y. Supreme Court Justice McLaughlin has directed the City Tax Commission to file a return by Feb. 15 to the petition of Twentieth Century-Fox Film Corp. for a $215,000 reduction in assessments on three New York buildings for 1939-40.

B'nai Brith Lodge Honors Rabbi Pool

Dr. David de Sola Pool, rabbi of the Spanish and Portuguese Synagogue, will be guest of honor and principal speaker at a meeting of the Cinema Lodge, B'nai Brith, at the Edison Hotel Feb. 8.

A. W. Schwalberg, lodge president, will preside. Many persons in the industry are members of the synagogue. Dr. de Sola Pool will be inducted as a member of the lodge.

Harold Rodner of Warners is program chairman for the meeting.

Holdover Pictures Show Gross Slump

Grosses produced by holdover films at Broadway first runs tapered off this week. At the Music Hall, "The Hunchback of Notre Dame," with a stage show took an estimated $50,000 for the last five days. "Swanee River," with a stage show, drew an estimated $36,000 in its second week at the Roxy. In its third week at the Strand, "Four Wives," with Abe Lyman's band on the stage, grossed an estimated $27,000.

'Wind' Pulls Big $74,800, Smash in Hub

BOSTON, Jan. 11.—"Gone With the Wind," in its second week at Loew's State and the Orpheum, grossed a tremendous $74,800. The Orpheu[illegible] $43,000 and the State $31,800.

Estimated takings for the week ending Jan. 4:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,000) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $31,800. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $43,000. (Average, $14,500)

"Gulliver's Travels" (Para.)
"Neighbors the Carters" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $10,300. (Average, $7,000)

"Gulliver's Travels" (Para.)
"Neighbors the Carters" (Para.)
FENWAY — (1,382) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $7,500. (Average, $4,500)

"Elizabeth and Essex" (W. B.)
"Return of Dr. X" (W. B.)
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross: $5,000. (Average, $4,000)

"The Great Victor Herbert" (Para.)
"All Women Have Secrets" (Para.)
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $17,500. (Average, $14,500)

"Mexican Spitfire" (RKO)
KEITH BOSTON—(3,200) (40c-65c) 7 days. Stage: "Folies Parisienne." Gross: $25,000. (Average, $8,500)

"Hunchback of Notre Dame" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $24,000. (Average, $14,500)

Bioff's Extradition Asked by Illinois

(Continued from page 1)

Robert P. Clark following his Federal indictment on two counts of U. S. income tax evasion. He posted $5,000 bond and was released a few minutes later. No date has been set for his arraignment.

Later during the day, after receipt of an order from Illinois for his extradition, Bioff surrendered to city police on a fugitive warrant. He was immediately released after posting a $1,000 bond.

U. S. Will Safeguard Film Firm's Secrets

(Continued from page 1)

held from filing, but it is understood that the Attorney General's office, in all likelihood, will not make this request.

The stipulation provides that the majors may indicate which answers they deem confidential and submit these to the Department of Justice without filing them. The Government, it is agreed, "will not publish or reveal the contents to anyone" prior to trial.

Gene Buck Mourns Death of Mother, 76

DETROIT, Jan. 11.—Mrs. Katherine Buck, 76, mother of Gene Buck, Ascap president, died at the Providence Hospital here today of injuries sustained in a fall last Christmas. Funeral services will be held Saturday. Two other sons, George Buck, executive secretary of the Catholic Actors' Guild of America, and Charles Buck of this city, are among the survivors.

Press Agents Championed! Politics Cited

By ALFRED FINESTONE

"There is more politics in the film industry than in any other, and the press agents are handicapped because [illegible] have to satisfy a lot of bosses," declared John Chapman, "Mainly About Manhattan" columnist of the *Daily News,* at the Ampa luncheon meeting at Stouffer's restaurant yesterday.

Chapman said that in his contacts with film company and theatre press representatives he has found that they try to do some things "because any one of 15 or 20 bosses expects it."

"This is not cowardice on the part of the publicity men, just part of a system," he added. "Because of it they have to work under a disadvantage. But they do a good job just the same and are familiar with newspapers' needs."

Ridicules De Luxe Premiere

Chapman also said he doubted the value of "kleig light opening ballyhoo" on Broadway, which he termed "small town stuff."

"It's no trick to get a crowd in New York," he continued. "The city is full of yokels. You can get a crowd for anything. A de luxe premiere will not make a good picture out of a bad one, and a good picture does not need kleig lights which glow for a night and are forgotten the next morning. An evening's wild scramble in front of a theatre adds nothing to the boxoffice."

Saying that he was asked to speak on "what is wrong with motion picture publicity," Chapman countered by suggesting that the Ampa in the future sponsor a discussion on "what is wrong with motion picture stars," especially the temperamental and demanding female players who act up when they visit New York.

Goes to Hollywood July 1

Chapman on July 1 will start writing the Hollywood column for the *News* and Ed Sullivan will return to his former Broadway column assignment.

New Ampa members put various personalities and foibles of the industry on the griddle in a humorous skit, the highlight of which was an alleged advertising code meeting at the Hays office. Eddie Schreiber of Warners was master of ceremonies and others participating were Eddie Greenberg, Jonas Rosenfield and Lester Dember of Warner Bros. and Miriam Gibson and Charles Dorsa of Monogram.

Paul Lazarus, Jr., president, said that the next meeting, on Jan. 25 will have New York's film critics as guests and that they have been asked to tear down film publicity and defend their own work. Future meetings will be held at the International Casino on Broadway. Betty Grable was among the guests.

Club Ball Jan. 21

Omaha, Jan. 11.—Morris Cohn will be installed as chief barker of the Omaha Variety Club at an inaugural ball on Jan. 21 at club headquarters. Also to be installed are: Evert Cummings, as first assistant; Sam Epstein, second assistant; Meyer Stern, treasurer; Edward Shafton, secretary.

New York Review

"A Child Is Born"

(*Warners*)

Handling a difficult and delicate theme in this remake of the "Life Begins" of several years ago, Lloyd Bacon, director, and an excellent cast have fashioned a moving piece of dramatic entertainment.

Concerning itself as it does with birth, set in the maternity ward of a large metropolitan hospital, and laden with the often heart-breaking developments of such a place, this obviously is not a picture for youngsters. However, that by no means implies that there is anything off-color in the production. On the contrary, the picture has been made with restraint, often with considerable dignity, and with a regard for the sensibilities of any adult audience.

The cast has done a fine job. It is headed by Geraldine Fitzgerald, as the girl sentenced to life in prison, who comes to the hospital to have her baby; Jeffrey Lynn, her jobless husband; Gale Page, chief nurse and friend of the couple; Gladys George and Spring Byington, women in the maternity ward; Henry O'Neill, the doctor, and Johnnie Davis, excellent as an expectant father.

Much of the unconscious humor which develops in and about a maternity ward and its implications, has been deftly caught, relieving the sharp drama of the hapless girl and her distraught husband. Faced with the alternative of an operation to save the baby or possible death for both, she chooses the former, the baby girl her final gift to her husband.

The screenplay of Robert Rossen from the play by Mary McDougal Axelson was carefully prepared. Hal B. Wallis was executive producer. Sam Bischoff produced.

A selling campaign of restraint, promising dramatic entertainment for adults, would appear to be the most applicable sales approach.

Running time, 79 minutes. "A"* Charles S. Aaronson

**"A" denotes adult classification.*

Depinet Explains 'Pinocchio' Shift

Booking of Walt Disney's "Pinocchio" into the Center for early in February was attributed by Ned E. Depinet, RKO vice president, yesterday to the inability of the Music Hall, because of prior picture commitments, to give the cartoon feature a guaranteed minimum 10-week engagement.

Depinet, confirming Motion Picture Daily's story of yesterday, related that the Music Hall was able to allot a maximum five-week engagement, the same as that allotted to "Snow White and the Seven Dwarfs." He pointed out that the Saturday of the fifth week of the latter picture's run resulted in the largest gross of the entire run, indicating that it could have continued profitably for several additional weeks.

The engagement at the Center is for a continuous run of indefinite duration. RKO expects the picture to be seen by a minimum of 1,000,000 persons during the engagement. "Snow White" played to approximately 800,000 during its five weeks at the Music Hall.

Bergner to England

Elisabeth Bergner has been added to the list of Paramount players and directors who will be given assignments on pictures to be made by the company in England under David E. Rose, head of Paramount's British production. A specific picture assignment has not been given Miss Bergner yet.

Joseph Silverman Ill

Joseph Silverman, secretary of the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union, has been ordered by his physicians to remain home for a six-week rest.

Kansas University Has Picture Course

Lawrence, Kan., Jan. 11.—"Course 57" is being offered by the University of Kansas this semester, and is said to be one of the few of its kind in the country. Prof. Allen Crafton will teach the course in the Theory of the Motion Picture, which includes development of techniques, evolution of the silent film story, acquisition of style, films as propaganda, foreign contributions, films as big business, coming of sound, social significance of the screen, educational potentialities and limitations as an art.

Warner Sets Four February Releases

Hollywood, Jan. 11.—Warner Bros. have set four features for February release. Scheduled are: Feb. 3, "Calling Philo Vance" with James Stephenson and Margot Stevenson; Feb. 10, "The Castle on the Hudson" with John Garfield, Ann Sheridan and Pat O'Brien; Feb. 17, "Granny Get Your Gun" with May Robson, Harry Davenport and Margot Stevenson, and on Feb. 24, "Virginia City," starring Errol Flynn and Miriam Hopkins.

New Address System

National Theatre Supply has added to its products a public address system to be marketed as RDR equipment. Already installed in some theatres in New York, the equipment was developed by the Radio Development and Research Corp. for National exclusively.

War-Crippled French Trade Sees No Hope

(*Continued from page 1*)

cause of the influx of evacuees from Paris. Business in the north and east is not as good.

The general opinion here is that production cannot resume its previous activity while domestic receipts remain low. It is hoped that with the revival of normal Paris life, big pictures again will draw.

Producers are faced with the necessity of depending on the foreign market for the amortization of their films. Some product already has opened in Belgium, Sweden and Switzerland, and has not yet been shown in France.

A film committee of the Ministry of Information is studying the financial situation facing producers, and it is expected that new legislation will be prepared shortly.

Another effect of the war upon the industry is the increased restriction by the censor. A total of 51 features have been banned in France since the beginning of the war.

State Attorney Gets Lottery Measures

Albany, Jan. 11.—The assembly has sent to N. Y. Attorney-General John J. Bennett for an opinion as to constitutionality of the bill proposed by Assemblyman Stephen J. Jarema, Manhattan Democrat, which would allow cities to conduct lotteries, the money to be used for low cost housing and slum clearance.

The Senate has sent a bill by Senator Phelps Phelps, radio commentator of Station WOV, to Attorney-General Bennett. The Phelps bill likewise would permit lotteries, but differs materially from the Jarema proposal.

Heads Film Drive For Finnish Cash

L. E. Thompson of RKO has been appointed chairman of the motion picture industry division of the Finnish Relief Fund, Inc., launched recently by former President Hoover.

The division is organizing its campaign, which will be directed by Vincent G. Hart, attorney formerly with the Hays office, who has volunteered his services.

Merge Stock Suits

Consolidation of the suits of five stockholders of Columbia Pictures was ordered yesterday by N. Y. Supreme Court Justice Hofstadter on application of Columbia. Suits attack bonuses and stock option warrants granted to Columbia officers. Plaintiffs were also directed to file an amended complaint within 30 days.

Guards 'Zeigfeld' Name

N. Y. Supreme Court Justice Valente yesterday granted an application of Loew's Inc., Select Operating Corp. and Billie Burke Ziegfeld to restrain The Ziegfeld Midnite Operating Corp. and Nicholas Blair from using the name "Ziegfeld." Plaintiffs, who are owners of all motion picture and stage rights to the name, waived claim to damages.

M-G-M Staggering Open 'Wind' Dates

M-G-M is staggering open dates of "Gone With the Wind" in order to permit adequate print distribution and handling by its exploitation staff of 29 field representatives covering virtually all exchange territories.

District and branch managers will come to New York to assist in arranging booking schedules where it cannot be done without their assistance because of the work entailed.

Here now are District Managers Harris P. Wolfberg of Kansas City and John E. Flynn of Detroit and Branch Managers Benn Rosenwald of Charlotte and Ralph Pielow of Albany. John J. Maloney, Pittsburgh district manager, left last night after conferring since early this week.

Two additional openings set are Loew's State, Houston, Feb. 7 and the Boyd, Bethlehem, Pa., Jan. 25.

"Gone With the Wind" will open in Loew theatres in New Haven, Worcester and Springfield Jan. 26 instead of Feb. 2, as originally dated, and in Canton and Evansville Feb. 1 instead of Feb. 2.

A gala "premiere" is being arranged for the Feb. 1 opening at Loew's Metropolitan in Brooklyn. City and county officials, society leaders and local bankers and merchants have arranged parties and downtown hotels have scheduled Southern dinners in conjunction with the opening.

'69th' to Be Shown At Chicago Dinner

Mayor Edward J. Kelly of Chicago has proclaimed Jan. 24 as "Rainbow Day." On that date the Chicago chapter of the World War Rainbow Division will hold a reunion banquet, featured by a screening of Warners' "The Fighting 69th."

Warners has arranged to send prints of the film to all chapters of the Rainbow Division which hold previews of the film in connection with the reunion dinners scheduled for Jan. 24.

The New York *Herald Tribune* attaches sufficient local importance to the production of "The Fighting 69th," based on the exploits of that regiment in the World War, to carry a box on a news page yesterday morning referring to it. The box points out that a page of pictures showing the actual 69th and scenes from the film will appear in the gravure section of the paper on Sunday.

Original Film Scripts Included in Auction

Original autographed scripts of "It Happened One Night," Academy award winner the short, "How to Eat," by Robert Benchley, and "Straight from the Heart," which was made as "Boy Slaves," will be included as collectors items at the benefit auction for Exiled Writers to be held at the Hotel Pierre on Sunday.

The auction will be held under the joint auspices of the League of American Writers and the Booksellers Guild of America.

Theatre, Personnel Notes

Reade Shifts Managers

Nick Schermerhorn, manager of Reade's Community, Saratoga, has been appointed manager of Reade's Community, Morristown, N. J., succeeding John McNulty, resigned. Other shifts around the circuit include Joe Localle of the Kingston, Kingston, N. Y., replacing Schermerhorn; John Gutteridge of the Savoy, Manhattan, succeeding Localle and Richard Mooney of the Lyric, Asbury Park, closed, replacing Gutteridge.

Takes Brooklyn House

Randall Enterprises, Inc., is the new operator of the Model, Brooklyn.

Acquire Ritz in Bronx

Alex Gross and Paul Weintraub have acquired the Ritz at 1014 E. 180th St., Bronx. Theatre was formerly operated by the Brandt circuit.

Reopen Freeport House

The Plaza, Freeport, L. I., which was closed following a recent fire, has been reopened.

Plan New Balcony

PROVIDENCE, Jan. 11.—Construction of a new balcony, with space for 180 loge seats, in the Park theatre, Cranston, R. I., is planned, according to Antonio A. Romano, general manager of Associated Theatres.

Danz Reopens Rivoli

SEATTLE, Jan. 11.—John Danz has reopened the Rivoli, formerly the State, under a second run, double feature policy with five acts of vaudeville. Admission prices of 10 and 15 cents prevail. Murray Peck is manager and master of ceremonies for the stage shows.

Open Arkansas House

GURDON, Ark., Jan. 11.—The Hoo Hoo theatre, named for the lumbermen's organization here, has been opened by the K. Lee Williams Theatre, Inc., with Carrollton Altman, formerly of Oklahoma City, as manager.

Saenger Plans Theatre

MOBILE, Ala., Jan. 11.—Saenger Theatres plan a new house here, to cost $30,000. It will seat 700.

Ricketson Heads Club

DENVER, Jan. 11.—Frank H. Ricketson, Fox Intermountain Theatres head, has been named president of the Rocky Mountain Screen Club. Earl Collins is first vice-president; Harry Graham, second vice-president; Henry A. Friedel, treasurer; Ross Bluck, secretary, and Albert J. Gould Jr., counsel. On the board are Ricketson, Collins, Graham, Friedel, Bluck, William Agren, A. P. Archer, J. H. Ashby, E. P. Briggs, Frank Culp, Charles R. Gilmour and R. J. Morrison.

Pays Up Interest

TORONTO, Jan. 11.—Eastern Theatres, Ltd., operating the Imperial here, has paid interest for the half-year ending Dec. 31 last on the seven per cent preferred shares of the company, thus maintaining the dividend record of this unit, a subsidiary of Famous Players Canadian Corp.

Baker Quits Affiliated

INDIANAPOLIS, Jan. 11. — Tom C. Baker has resigned as vice-president and general manager of Affiliated Theatres, Inc., group of 43 independent houses. Joseph F. Smith, his assistant for more than a year, succeeds him.

Resigns from Quimby Circuit

FORT WAYNE, Ind., Jan. 11.—Harry Horgan, general manager of the Quimby circuit, operators of a group of theatres in Indiana towns, has resigned. Mrs. Helen M. Quimby succeeds him.

Plans Iowa Theatre

HARLAN, Ia., Jan. 11.—Ray Brown, operator of the Harlan here, has started construction on a new 350-seat house to be ready for opening about March 1.

Laurie Quits

TORONTO, Jan. 11. — Archie Laurie has resigned as assistant general manager of Empire-Universal Films, Ltd., Toronto, handling Universal, Republic and British pictures. Laurie has gone to Florida for a rest.

Joins Dixie Theatres

NEW ORLEANS, Jan. 11.—Clyde E. Noble, former manager of the Arcade at McComb, Miss., has been named public relations counsel for Dixie Theatres Corp. here.

Plan Arlington Theatre

ARLINGTON, Va., Jan. 11.—Ground has been broken for a 700-seat theatre here. The house will be operated by Neighborhood Theatre of Virginia upon its completion.

Circuit Moves Office

CINCINNATI, Jan. 11.—Headquarters of Northio Theatres, Inc., have been moved from the Paramount Theatre, Hamilton, O., to the Dixie Terminal Building here.

Texas Manager Shifted

OVERTON, Tex., Jan. 11—Jack Eaves has been transferred to the Overton of the Lee Threet Theatres, succeeding Durward Witherspoon, who has been sent to the booking office in Dallas.

Quits Theatre for Critic's Post

AUSTIN, Tex., Jan. 11. — Assistant manager Boyd Sinclair of the Capitol has quit exhibition to become motion picture critic of the Austin *American-Statesman.*

Basketball Tomorrow

M-G-M's basketball team, which comprises Hy Malitsky, Murray Horowitz, Bob Rigby, Johnny Kraus, Charley Group, Ed Weiland and Sol Linder, will play its first game of the season tomorrow against the Lafayets of Brooklyn at the Jacob Riis House. Sid Salitsky is manager of the team and Arthur Adler, assistant manager.

Performance for Charity

BUFFALO, Jan. 11.—Proceeds of a midnight showing of "The Hunchback of Notre Dame" at the Twentieth Century have been turned over to the local branch of the Jewish War Veterans of America.

Tips on Exploitation

Stage Wedding Used To Sell 'Four Wives'

LONG BEACH, Cal., Jan. 11.—Lester Fountain, manager of the State here, arranged a wedding of a sailor and his girl on the stage of the theatre, in connection with the run of Warners' "Four Wives." Local merchants contributed presents, including the wedding gown, flowers, ring and the like.

Two 'Invisible Man' Stunts in Providence

PROVIDENCE, Jan. 11.—George French of the RKO-Albee used two stunts for "The Invisible Man Returns." One was a man, dressed after the manner of the "Invisible Man," with bandaged head and spectacles, who walked the downtown streets, the lettering on his shirt front calling attention to the Albee engagement. The other was an invisible fish gag, worked in the theatre lobby and the window of a downtown pet shop, the placard read that the rare Brazilian invisible fish in the bowl was made invisible by the same fluid used by the scientist in the picture.

Civil War Costumes Aid 'Natchez' Short

NATCHEZ, Miss., Jan. 11.—Natchez women in hoopskirts and pantaloons in ante-bellum carriages drawn by horses were part of the setting for the premiere of the short, "Old Natchez of the Mississippi."

The film was made by James A. Fitzpatrick for M-G-M and shows scenes about Natchez before the capitulation to Sherman's Union forces. The Grand Theatre, where the short was given its premiere, was decorated to resemble a Southern mansion before the Civil War.

Seek Indian Girl As 'Geronimo' Ad

The Broadway Paramount is conducting a search for a real Indian girl to appear in person at the theatre as a living trailer for "Geronimo," which will open in a few weeks.

Approve RKO Auditor

The Irving Trust Co., trustee of RKO, was authorized yesterday to employ Price, Waterhouse Co. to audit the company's books for the year ending Dec. 31, 1939, in an order by Federal Judge Bondy. Compensation for the work is not to exceed $4,800.

Secret Service Has Counterfeiting Film

Police Commissioner Valentine of New York and his aides yesterday saw a 19-minute film, produced by A. Hazelton Rice, Secret Service agent, for the Treasury Department, which will be shown in schools as part of an educational campaign to stamp out counterfeiting.

Lowell Thomas acted as commentator for the subject. It pictures the mechanics of coinage and points out the manner in which counterfeit money may be detected.

"Good Material"

■ ■ ■ "AS A RAW RECRUIT, I DISCOVERED THAT RUNNING A THEATRE WITHOUT THE AID OF MOTION PICTURE HERALD WAS LIKE MAKING A JUMP FROM A PLANE WITHOUT A PARACHUTE--IT CAN BE DONE, BUT THE BUMPS ARE TERRIFIC! ALSO, THE ROUND TABLE SECTION HAS AFFORDED ME A LOT OF GOOD MATERIAL THAT I WOULD HAVE OTHERWISE BEEN WITHOUT." ■ ■ ■ ■

HARRY E. FISK, JR.
Manager

PRINCE THEATRE
AMBRIDGE, PA.

MOTION PICTURE HERALD, $5.00 *a year Domestic;* $10.00 *Foreign; 52 issues with which is combined* BETTER THEATRES, 13 *issues yearly.*

MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

Radio Competition Needed, Says FCC

Washington, Jan. 11. — Laying down the principle that competition in broadcasting may bring increased revenues to the competing stations, the Federal Communications Commission today denied a petition of WSPA, Spartanburg, S. C., for reconsideration of the grant of a construction permit for a new station in that city, to be erected by the Spartanburg Advertising Co.

In the credo which it laid down today the commission asserted that "competition in radio broadcasting means, in so far as listeners are concerned in a particular community, a wider choice of programs, and consequently a heightened listener interest which may very well result in a greater amount of advertising expenditures because of increased listener hours with consequent increased revenues for both stations.

"In the radio broadcast field public interest, convenience and necessity is served *not* by the establishment and protection of monopolies, but by the widest possible utilization of broadcast facilities," it was declared. "Competition between stations in the same community inures to the public good because only by attracting and holding listeners can a broadcast station successfully compete for advertisers. Competition for advertisers which means competition for listeners necessarily results in rivalry between stations to broadcast programs calculated to attract and hold listeners, which necessarily results in the improvement of the quality of their program service. This is the essence of the American system of broadcasting."

Critics Vote 'Chips' Best Film of Year

(*Continued from page* 1)

history of the voting. "Mr. Smith Goes to Washington" polled 433 votes.

Of the 10 best, M-G-M had four, the winner, "Pygmalion," also produced in England, "The Women" and "The Wizard of Oz;" Warners had three, "Dark Victory," "Juarez" and "The Old Maid," all featuring Bette Davis; Columbia had "Mr. Smith Goes to Washington;" United Artists-Goldwyn had "Wuthering Heights" and 20th Century-Fox had "Stanley and Livingstone."

Henie Dismissal Denied

N. Y. Supreme Court Justice Valente yesterday refused to dismiss the suit of Dennis R. Scanlon, for an accounting and $92,000 alleged commissions due, against Sonja Henie. Suit is based on an alleged contract under which Scanlon was to receive 20 per cent. earnings, less certain deductions, for obtaining employment for the defendant on the screen.

More Walsh Testimony

Boson, Jan. 11.—The situation remained unchanged in the Morse & Rothenberg anti-trust suit against the major film companies as George C. Walsh of Netco Theatres in New York spent the whole day on stand, and is due to continue his testimony tomorrow.

Radio and Television

Rather than disappoint her studio audience who had come to hear her broadcast last Friday, Benay Venuta went on with her show for their benefit despite the fact that WOR had cancelled her air time to permit Senator Robert A. Taft to make a political speech.

Miss Venuta did not apprise the group assembled at the studio of this fact, using the "On the Air" lights, and leading them to believe that the show was being transmitted.

They may be surprised tonight when they hear the same show over the air!

For Television Set Buyers

Before purchasing a television set, it is advisable to inquire from your apartment house superintendent whether he will permit the antenna to be installed. Although radio sets can operate with built-in aerials, the television sets cannot.

Recently, distributors have found difficulty in installing sets because buildings which maintain master antenna systems have refused to allow aerials on the roof. The only alternative is to install a separate master system but this is rather expensive unless there are at least half a dozen sets in the house.

Sound Effects

"What Makes the Movies Tick" will be the subject of Saturday's broadcast of the "What's Art to Me" series over CBS. Sound effects will be described by Theodore Lawrence, former technical supervisor for Paramount in Europe and recording engineer for United Artists.

Television Drive

Television set manufacturers will start a concentrated advertising campaign in the New York area about Feb. 1 if the F.C.C. adopts standards for receivers after Monday's hearing. The commission's failure to adopt standards has hurt sales, manufacturers believe.

It's a Boy!

Under date of March 31, 1887, in the columns of the Courtland, N. Y. Standard, *was the news item:*

"Rev. A. T. Swing, the new pastor of the Congregational Church, is a happy father. The sermon Sunday was very interesting without a trace of pessimism."

The boy was Raymond Gram Swing, born six days before.

Police Honor Singer

Jerry Baker, who sings over WMCA, has been made a member of the Honor Legion of New York City's Police Department because of his assistance at police benefits.

A Salute to the South!

With Alabama's governor, Frank M. Dixon, as master of ceremonies, CBS will salute the South in a coast-to-coast hookup on Sunday, Jan. 20. The broadcast is part of a $50,000 annual advertising program of the State.

Music will be furnished by the Birmingham Civic Symphony Orchestra, glee clubs of Alabama Polytechnic Institute, University of Alabama, Alabama College and Tuskegee Institute. Dramatic episodes will be presented by the Birmingham Little Theatre.

Neutrals Like Thrillers

Stations in neutral European nations are returning to entertainment programs, with mysteries and thrillers most in demand, according to Herbert Rosen, head of Heroservice. The Script Library has had orders from Switzerland, Holland and Palestine recently. News broadcasts, says Rosen, are being limited. The entertainment programs are preferred particularly in neighboring belligerent countries, he adds.

Personalities in the News

Victor von der Linde and Ralph Rossiter have joined the WNEW sales staff, Herman Bess, sales manager, announces. . . . The recently-appointed U. S. Supreme Court Justice Frank Murphy speaks Sunday at 11:30 A. M. over WMCA. It will be his first radio speech since his elevation to the bench . . .

Phil Cook's annual drive over WABC for books for shut-ins produced about 33,000 volumes last year. . . . Joe Penner is bringing his "Tip Top Show" over NBC-Blue to the East on Jan. 25. The show will originate here for about four weeks.

Frank Parker, tenor on the Burns & Allen show, is planning a concert tour. . . . Ted Steele replaces Bob Howard on the "Gliding Swing" show over WEAF on Jan. 19. The show moves to a new time, Fridays at 7:45 P. M.

Program Notes

Barnev Clothes have just signed a 136-week contract with WNEW for an extensive schedule. This includes each week 46 spot announcements, six newscasts of five minutes each, the "Battle of Swing," one-half hour, and three quarter hours of recorded music. . . . Hearn's "Children's Theatre of the Air" heard over WHN will originate from the stage of the auditorium in the store, starting Saturday.

Portable Camera Trouble

The new portable television cameras have developed technical difficulties, RCA engineers report. The opening demonstration, which was to be a two-way telecast between an airplane and the ground, has been postponed for three or four weeks. It was originally scheduled for early January.

Film Commentator Returns

A familiar screen commentator, Sam Taylor, returns to the air Monday, when "Hollywood Sound Stage" returns to WHN. His program will be heard daily except Friday at 5:15 P. M.

TBS To Know Fate Within Four Days

Transcontinental Broadcasting System, proposed as the fourth major network, will know its fate "within four days."

This assurance was given yesterday by John T. Adams, chairman of the TBS board, who said that he has informed all TBS affiliated stations that the Feb. 1 opening will be confirmed or denied in four days.

At the same time, Adams revealed that neither he nor William Porter, chief counsel, own any stock. He pointed out that both Porter and himself have worked entirely without pay, receiving expense money only.

Negotiations with Blackett-Sample-Hummert, advertising agency, whose failure caused the network to postpone its original Jan. 1 opening date, have been reopened, Adams said.

TBS did not reveal how many stations have ratified their contracts since notice of the postponement went out. At WMCA, officials declared that the station still remains the New York outlet for the new web.

CBC Interference By Mexico Cleared

Montreal, Jan. 11. — Interference from the powerful Mexican station, XERA, at Vila Acuna, which had greatly handicapped reception from CBL, Canadian Broadcasting Corp. key station in Ontario, has been eliminated, according to W. Gladstone Murray, general manager of CBC.

Mexican authorities have moved interfering stations to other channels where they will not affect the Canadian outlet. The interference from Mexico has been a serious problem for the past six years. The shifting of the Mexican stations follows the recent ratification by the Mexican Congress after a long delay of the agreement allocating radio channels among all radio stations in the Americas to avoid interference.

FCC Extends Time For Station Reports

Washington, Jan. 11.—The Federal Communications Commission today gave broadcasters additional time in which to file their 1939 financial reports, postponing from March 1 to April 15 the date on which such returns are due.

The commission explained its move was in compliance with requests from broadcasters who pointed out that their reports are based on tax returns and that a hardship would be involved if they were required to file them in advance of their tax statements.

Gets FM-AM Permit

W2XWF has obtained F.C.C. permission to operate on both frequency modulation and amplitude modulation, W. G. H. Finch disclosed yesterday. On an assigned frequency of 42.18 megacycles, with 1,000-watt power, the station will use both aural and facsimile programs on the single channel.

World Acquires 'Floss'

Upstate New York distribution rights of "Mill on the Floss" have been acquired by World Pictures.

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Venice Prizes to Best Films; Korda Picked

'Four Feathers' Honored; U. S. Unrepresented

VENICE, Jan. 14.—"The Four Feathers," Alexander Korda production released by United Artists, has been awarded a cup as the best English film shown at the Seventh International Cinema Exhibition held here last August. No American pictures were entered in the contest. Gaumont British received a shorts award.

Cups were also awarded to "La Fin du Jour" ("End of the Day"), Regina film, as the best French picture, and "Robert Koch," produced by Tobis, as the best German entry. Similar awards went to Japan and Sweden, but no titles of winning films were announced for these countries.

Bronze medals for features showing

(*Continued on page* 10)

RKO Assets Order Hearing Thursday

Hearing on a proposed order of the Irving Trust Co., trustee of RKO, which directs the transfer of all assets held by the Irving Trust to the new company and provides for the termination of the major aspects of reorganization proceedings, was ordered for Jan. 18 at 2:30 P.M. on Saturday by Federal Judge Bondy.

Assets to be transferred include all tangible and intangible forms with the exception of $20,000 in cash which the trustee will retain for future administration expenses. The order takes

(*Continued on page* 8)

Heads of 20th-Fox Due for Premieres

Darryl F. Zanuck, 20th Century-Fox vice-president in charge of production, and Joseph M. Schenck, chairman of the board, are scheduled to arrive Thursday from the Coast to attend premieres of "The Blue Bird" at the Hollywood Friday night and "Grapes of Wrath" at the Rivoli Jan. 24.

Among others in the party will be Gene Markey, associate producer of the film, and his wife, Hedy Lamarr. Sidney Lanfield, director, and Jane Darwell, the "Ma Joad" of "Grapes of Wrath," will arrive earlier. Lanfield will remain here to make back-

(*Continued on page* 10)

5-Theatre Premiere Set for 'Dodge City'

Warners will duplicate the "Dodge City" stunt of last year for "Virginia City." A five-theatre world premiere will be staged Feb. 24, at one house in Virginia City, Nev., and four in Reno simultaneously.

Film critics and editors from all over the country will be brought to Virginia City, where a huge celebration will be held. The story is about the disappearance of a million in gold bullion somewhere in that region.

Brill Heads Film Board of Review

The National Board of Review of Motion Pictures has elected Dr. A. A. Brill as chairman. Brill, a member of the executive committee since 1933, succeeds Dr. George W. Kirchwey, who was named chairman emeritus.

Members of the executive committee are Dr. Frank Astor, John R. Davies, Dr. Raymond L. Ditmars, Mrs. H. G. Grover, J. K. Paulding, Dr. Walter W. Pettit, Langdon Post, Joseph M. Price, Mrs. Miriam Sutro Price, Mrs. E. Schwarzman, Dr. Frederic M. Thrasher and George J. Zehrung.

Brill voiced opposition to censorship of films in accord with the policy of the board.

He said: "The normal or average person can read about law breaking or see it in a play or picture without

(*Continued on page* 10)

FIRST WEEK OF 1940 SHOWS GROSS BOOM

Marvin Dies at 77; Ex-Biograph Head and Film Inventor

Funeral services will be held today at Rye, N. Y., for Harry Norton Marvin of Rye, retired inventor and an early figure in the motion picture industry. He died Friday at his Winter home at Sarasota, Fla., at the age of 77.

Marvin was formerly president of the Biograph Co. He was associated with Thomas Edison in some of the first motion picture inventions. Such actors as Mary Pickford, D. W. Griffith and Lillian and Dorothy Gish began their careers in pictures produced by Biograph.

The Biograph and Edison interests were merged as the Motion Picture Patents Co., an organization which controlled the most important patents in the business. Marvin retired in 1912.

With E. B. Coopman he perfected the meterscope and from that device evolved the biograph, a cumbersome type of projector.

Besides inventing the Marvin electrical rock drill, the forerunner of the modern pneumatic drill, Marvin perfected the automatic tuning arrangement on radio sets.

A son, Robert S. Marvin of Mamaroneck, and a daughter, Mrs. Marguerite Smith of Rye, survive.

159 Key Theatres Collect $2,077,200 — Biggest Figure in 2 Years

(Tabulation on Page 10)

Box-office receipts from first run theatres in the key cities of the country enjoyed a major boom during the week ending Jan. 5-6, which included the New Year holiday weekend.

A total of $2,077,200 was grossed at 159 key theatres, the highest aggregate since 1938. The figure compares with a total of $1,829,822 from 151 theatres for the week ending Jan. 5-6, 1939, the previous year's comparable week, and is $584,000 more than the $1,493,200 grossed by 147 theatres in the week ending Dec. 29-30, 1939.

The total for the most recent week likewise is by a wide margin the highest since the start of the current selling season, beginning with the week ending Sept. 7-8, when 145 theatres aggregated $1,490,144.

The figure also compares with the two highest previously in the current season, $1,565,300 from 154 theatres for the week ending Nov. 30-Dec. 1, and $1,510,750 from 153 theatres for the week ending Dec. 7-8.

Drive to Bolster Box Offices Launched by Legit Houses

A mailing campaign to 14,000 telephone subscribers will be launched within several weeks to bolster box-office revenues of New York legitimate theatres.

A joint committee of Actors Equity and the League of New York Theatres will test the idea first in three Westchester cities, White Plains, Bronxville and Scarsdale. The committee believes suburban patronage needs to be stimulated the most.

A bulletin will be mailed to the 14,000 telephone subscribers in the three cities, listing the current shows and indicating when tickets will be available at each house. In effect, the various boxoffices will be placed in competition with each other because shows which have tickets for the near future will have an obvious advantage over houses where seats are not available for some time.

A plan for mail reservations, or reservations by payment of a deposit, is being prepared. A meeting will be called at a convenient place in Westchester. If the response to the call for the meeting and the bulletins are sufficient, the bulletins will be published at regular intervals and the plan will be extended to other suburban areas in Long Island and New Jersey.

Although New York City will not be covered, city residents may obtain the bulletins upon request. Discourtesies at the boxoffices and overcharges by brokers will be discussed and complaints solicited.

Warners Starts 5 Big Pictures Feb. 1

Five of the biggest pictures on the 1939-'40 Warners schedule will go before the cameras beginning Feb. 1, E. Charles Einfeld, director of advertising and publicity, said upon his arrival Friday from the Coast for a month's stay in New York.

"All This and Heaven, Too" will star Charles Boyer and Bette Davis. A leading player is being sought for the role of the Duchess, and negotiations have been opened with Helen

(*Continued on page* 2)

Feb. 7 'Pinocchio' Opening Probable

Hollywood, Jan. 14.—RKO hopes it can push ahead its "Pinocchio" opening date here and at the Center in New York from Feb. 15 to Feb. 7. The latter date will enable the picture to garner a Lincoln's holiday business. The advance date depends on the availability of color prints.

Purely Personal

BETTY GOLDSMITH, secretary to JAMES MULVEY, eastern representative for SAMUEL GOLDWYN, observed her 10th year with that company Friday.

•

EMANUEL CORBER, for many years on the staff of the Regal Films, St. John, N. B., exchange, as a shipper, is a member of the Canadian Army Medical Corps.

•

E. B. RADCLIFFE, theatre editor of the Cincinnati *Enquirer*, will address the Jan. 22 meeting of the local Motion Picture Council on "How to Review Motion Pictures."

•

MRS. MARIA GABLE, former wife of the screen star, is visiting with friends in Columbus, O.

•

E. H. MAYER, southern Ohio correspondent of Quigley Publications, will address a conclave of Presbyterian ministers Jan. 16, on "The Moral Side of Motion Pictures."

•

W. C. GEHRING, 20th Century-Fox Central division manager, left last night to visit Midwest offices.

•

CLIFF REID, associate producer at RKO, left Friday for Hollywood after vacationing here.

•

DAVID NIVEN has enlisted in the emergency reserve of the British army and is in London awaiting call to his regiment, the Scottish Highland Light Infantry.

•

RAY BRANCH, president of Michigan Allied, is due tomorrow from Detroit en route to the Allied board meeting in Washington.

•

TEDDY ARNOW, Loew's publicity man in Westchester, was married Saturday night to DEBORAH FISHMAN. His fellow workers gave him a party Friday.

•

MAURY WHITE, Cincinnati theatre man, has been visiting here.

Van Schmus Going On California Trip

W. G. Van Schmus, president of the Radio City Music Hall Corp., and managing director of the Music Hall, leaves tomorrow for California on a month's journey. He will spend some time at La Junta and Del Monte besides Beverly Hills and Hollywood.

Fourth Day in Stand

BOSTON, Jan. 14.—George C. Walsh of Netco Theatres spent his fourth consecutive day Friday on the stand testifying in the Morse and Rothenberg anti-trust suit. At the close of the day his testimony was continued until Monday morning.

SCRATCHES
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NewTalksTomorrow On Trust Suit Reply

Difficulties on the part of attorneys for the major defendants in the Government's anti-trust suit and the Government to agree upon answers by the Government to the major's interrogatories will require a new conference tomorrow, it was learned on Friday.

A major part of the defendant's questions have been agreed upon, it was stated by attorneys for the defendants, but certain phases of the interrogatories remain in dispute. Special Assistant Attorney General Paul Williams, who is expected from Washington today, will represent the Government.

The Government, in the meanwhile, has secured an extension until Wednesday of its time to raise objections to the majors' questions. Originally the Government's time was to expire today.

Revised 'Angels' Coming to Rialto

Revised version of "Hell's Angels," produced 10 years ago by Howard Hughes, has been dated for the Rialto on Broadway in about two weeks.

Jack Bannon, formerly with Fanchon & Marco, is handling national sales of the film, which is being released by Astor Pictures.

New scenes have been added, including a two-minute prologue with narration describing the progress of aviation "from the Wright Bros. into tomorrow," and a color sequence of a battle between a Zeppelin and a plane. The running time has been cut from 15 reels to 100 minutes. All prints will be new.

Grierson Will Leave Jan. 31 for Australia

MONTREAL, Jan. 14.—John Grierson, Canadian Government Film Commissioner, will leave Jan. 31 for Australia on the invitation of the Australian-New Zealand Governments to examine the film industry there.

The task will be much the same as he did for Canada two years ago, resulting in the establishment of the National Film Board, with Grierson appointed Film Commissioner. The board coordinates all Government film work. He will sail from San Francisco Jan. 31 on the *Mariposa*.

Bess Lebowitz Weds

Bess Lebowitz, secretary to Phil Abrahams of Warners home office print department for the past 10 years, married Albert Kaplan yesterday.

Richey's Son Honored

David Richey, 16, son of H. M. Richey of RKO, has been presented a medal and an honorary membership by the New Rochelle Humane Society for rescuing a dog which fell through the ice in Huguenot Lake.

Orders Warner Trial

N. Y. Supreme Court Justice McLoughlin Friday ordered trial of the suit of William La Varre against Warners for $50,000. A previous dismissal of La Varre's action in 1938 recently was upset by the N. Y. Court of Appeals. Plaintiff claims that he was unpaid for two stories which he wrote for the screen, "The Bedside Manner" and "The Fated Woman."

Milk Cocktails!

Hollywood, Jan. 14.—Milk will be the drink de resistance at a "cocktail" party which Elsa Maxwell will give tomorrow in honor of Peter B. Good, juvenile star of "Brother Rat and the Baby." Young children of stars will attend the soiree at the Hollywood Hotel. The picture will be screened.

N. Y. Allied Slates Regional Meetings

Regional meetings of Allied Theatre Owners of New York have been set for Wednesday in New York, Thursday in Syracuse and next Monday at the Hotel Ten Eyck in Albany.

Officers of the regional units will be elected and grievance committees appointed at the meetings. Edmund Souhami, counsel, will attend out-of-town sessions. The New York meeting will be at Allied's office in the New Amsterdam Theatre Building.

Wobber Schedules Managers' Drives

Herman Wobber, 20th Century-Fox general sales manager, has designated February, March and April as division managers' months during which branches will conduct a sales and playdate drive.

The drive will be held in W. J. Kupper's Western division Feb. 4 to March 2; in W. C. Gehring's Central division March 3 to March 30 and William Sussman's Eastern division March 31 to April 27.

Wobber will call a district managers' meeting shortly.

Joan Bennett Wed To Walter Wanger

HOLLYWOOD, Jan. 14.—Joan Bennett and Walter Wanger were married on Friday in an unexpected ceremony at Phoenix, Ariz., performed by Justice of the Peace Harry Westfall.

Miss Bennett, who is 29, had been married twice before, and Wanger, 45, once. Miss Bennett's most recent film was "The House Across the Bay," a Wanger production for United Artists release.

12 Loew Directors Set for Reelection

Reelection of 12 directors is scheduled at a special meeting of Loew's, Inc., stockholders, in lieu of the annual meeting, to be held at 11 A. M. tomorrow at the home office.

Award Scroll to Paris

The New York Film Critics' scroll for the best foreign picture of 1939 has been sent to Marcel Pagnol, producer of the prize winning picture, "Harvest." Andre Heyman, head of Cinema Center, Inc., distributor, mailed the award to the producer at his Paris office.

I. Goldsmith Arrives

I. Goldsmith, British producer, arrived Friday night on the *Rex* with a print of "The Stars Look Down" for which he plans to negotiate an American release. The film is based on a novel by A. J. Cronin, who is now in Hollywood.

Warners Starts 5 Big Pictures Feb. 1

(Continued from page 1)

Hayes and Katharine Cornell for the part.

Others are "The Sea Hawk" wit Brenda Marshall and Errol Flynn "City for Conquest," James Cagney "Brother Orchid," Edward G. Robinson, and "Torrid Zone," Ann [illegible]heridan. A story is also being lined u for Paul Muni, who currently is appearing in "Key Largo," Broadwa stage play.

Einfeld reiterated previous announcements that Warners will release on the promised schedule it complete calendar of 48 features Twenty have already been release as of Saturday.

This season's program includes 3 "A's and 12 in-between" films. Einfeld said that in line with the decisio to eliminate "in-betweens" from nex season's production, there will b no pictures budgeted at $200,000 o less. Preparation of next year's pictures will start in February.

Two-a-day roadshows are bein considered for "Magic Bullet" i New York and several other key citie but not extensively throughout th country as Warner's policy is to deliver product to exhibitors rapidly said Einfeld. The film is schedule for March 9 release.

Other coming releases include "Th Fighting 69th," Jan. 27; "Castle o the Hudson," Lincoln's Birthday, Feb 12; "Virginia City," Feb. 24; "Thre Cheers for the Irish," St. Patrick' Day, March 17; "Wee Shall Mee Again," at Easter, about March 2 and "Saturday's Children" at the en of March.

Einfeld said Priscilla Lane an Dennis Morgan are among thos whom the studio plans to promote t star ranks for next season. Morga has a singing role in "Three Cheer for the Irish."

Continue Burlesque Ban in Providenc

PROVIDENCE, Jan. 14.—The Burea of Police and Fire on Friday denie to Antonio A. Romano a permit t show burlesque at the Playhouse.

The bureau acted after Police Censor George W. Cowan and Samue Gee, secretary, had reported that ther had been no improvement in burlesqu since the bureau originally banned i

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Short Subject Reviews

'Judo Experts"

Paramount)

This Grantland Rice Sportlight elv[illegible] into the mastery of Japanese u-jitsu and its less painful off-shoot, udo, for its material. Canadian and apanese-American experts demonstrate their skill at both sports for the amera. These demonstrations, intersting in themselves, are given an entertaining turn in the reel by illustraions of their practical worth when sed against wrestlers, boxers, police uarry and mashers. Running time, 0 mins.

'Popular Science"

Paramount)

This latest addition to the Popular cience series features a pictorial ecord of aerial photography and the ntricate methods of producing relief naps of vast areas from the photoraphs of little known terrain. Other ubjects pictured are new gadgets for he bathroom, methods for the preserration of blood and blood specimens nd the latest, nonsensical inventions f "Prof. Oakes," fabulous "wizard" f the series. Running time, 10 mins.

'Touchdown Review"

Paramount)

Bill Slater reviews, with the help f the camera, some of the outstandng scoring plays of the last football eason for this addition to the Paranount Paragraphic series. The subect is well edited and narrated and he plays included in the reel should apture the fancy of football fans verywhere and should be of wide inerest to theatre patrons outside that lassification. Running time, 10 mins.

"That Inferior Feeling"

(M-G-M)

Those who may have thought that Robert Benchley was slipping will e reassured after seeing his latest release, which comes close to being one of his best. Benchley undertakes o study the reasons for the embarrassment of the ordinary man in the presence of officialdom. At a bank, a marriage ceremony, a tailor shop or a otel, Benchley's confusion mounts. Running time, 9 mins.

"Miracle at Lourdes"

(M-G-M)

An M-G-M "Miniature," "Miracle of Lourdes" does not accept or deny the theory of miracles at the world famous shrine. Instead, it tells a tale of a wife who was cured there when she was shocked out of paralysis by a narrow escape of her husband. Produced in a reverent manner, this short should have wide exploitation value. Running time, 11 mins.

"Land of Alaska Nellie"

(FitzPatrick-M-G-M)

The colorful exploits of Nellie Neal-Lawing, Alaska's woman pioneer, are described in this FitzPatrick "Traveltalk." Starting with a view of Alaska's inland waterway, the camera proceeds to a small town where "Alaska Nellie" operates a roadhouse. Excellent shots of the surrounding country and Nellie's collection of trophies are interesting. Running time, 9 mins.

"Maintain the Right"

(M-G-M)

This Pete Smith "Specialty" is designed to capitalize on the interest of men and boys in the Royal Canadian Mounted Police. Taking three rookies who are learning what their duties will be, the training period is described in detail. Just when the rookies are becoming bored with their chores, an officer tells them the story of a "Mountie" who saved a village of Indians from disease and got his man in the same exploit. Should hold considerable audience interest. Running time, 10 mins.

"The Mad Maestro"

(Harmon-M-G-M)

The emotions of a symphony orchestra conductor are burlesqued in this color cartoon. From the moment of the maestro's entry until the end of the concert, his difficulties are gaily exaggerated. Should please. Running time, 8 mins.

Critics' Quotes . . .

"HIS GIRL FRIDAY"

A group of Hollywood's fastest talking actors rip-snort and bellow their way to making "His Girl Friday" the funniest, certainly the zippiest comedy riot of many a movie season.—**Los Angles Herald-Express.**

"The Front Page" roared again. . . . Even faster and lustier than the original version. . . . Whirlwind entertainment with the speediest action, dialogue and story movement you've seen on the screen since its first debut as a movie.—**L. A. Examiner.**

The new screen version of the lusty Hecht-MacArthur newspaper farce is still a staccato and highly entertaining show. . . . It remains an antic and exciting romanticization of that calling sometimes known as journalism.—**New York Herald Tribune.**

Under Howard Hawks' direction, the cast has acknowledged the clamoring script with performances that are hard, brittle and strained to the breaking point. . . . A bold-faced reprint of what was once—and still remains—the maddest newspaper comedy of our times.—**N. Y. Times.**

"The Front Page" always was the best newspaper play and now with its new name and the gender of Hildy Johnson changed to Hildegarde, it still is.—**N. Y. Daily Mirror.**

The remake is a furiously-paced comedy, bright and funny and only a little out of date. . . . All the essentials of the original play have been kept intact.—**N. Y. Daily News.**

"NINOTCHKA"

The Lubitsch touch is with us again. . . . When a movie is touched by Lubitsch you've got something as in "Ninotchka," our current delight.—**Dallas News.**

The incomparable Garbo's new film, "Ninotchka," is first a constantly amusing and inordinately sophisticated feast for the funnybone. . . . Here is entertainment that meets the requirements of the thinker and escapist, the romanticist and realist.—**Dallas Journal.**

"THE SHOP AROUND THE CORNER"

The art and artfulness of Ernst Lubitsch are again disclosed in "The Shop Around the Corner." There is more of the art this time. . . . Glorified Cinderella narrative.—**L. A. Times.**

Splendid . . . Starts 1940 off to a merry cinematic beginning, a gay pace that will require no little hard work to equal. . . . Delightful entertainment.—**L. A. Herald Express.**

"MUSIC IN MY HEART"

From a vocal standpoint, there is a lot in this film's favor. . . . "Music in My Heart" is very much on the mild side.—**L. A. Herald-Express.**

Tony Martin's singing voice is the main adjunct of "Music in My Heart." . . . The film fails at times to keep interest at a high pitch. . . . Persuasive melodiousness.—**L. A. Times.**

A childish story holds back the whole cast and what might have been an entertaining comedy winds up as pretty mild fare. . . . The music is tuneful.—**L. A. Examiner.**

"OF MICE AND MEN"

Loyal in all its larger outlines to a strong and dramatic novel and stage play by John Steinbeck, "Of Mice and Men," excellently adapted to the screen, adds still another event of moment to a brilliant cinema season.—**L. A. Times.**

"Of Mice and Men" demonstrates that the Steinbeck milieu, sincerely handled, offers a rich field for camera exploration. . . . This is neither child's fare nor adult escapism; it is a powerful and moving film.—**Newsweek.**

In a succession of swift, spare, terse scenes Lewis Milestone succeeds in making Steinbeck's sub-human characters human. . . . More tender than the tough stage version, the impact of the picture is tough and raw enough.—**Time.**

"SLIGHTLY HONORABLE"

A curious mixture of murder and comedy. . . . It begins with such prosaic and uninspired things as paving contracts and winds up like a dime-novel thriller.—**L. A. Times.**

Chicago's New Deal on 'Wind'; 18 More Dates

Eighteen "Gone With the Wind" dates have been set by M-G-M, bringing the number of openings to 86.

The deal that was pending for the Woods Theatre in Chicago was closed Friday to open the picture Jan. 25 day-and-date with the Oriental. Negotiations for the Woods, a double bill house, started with Essaness after no deal could be made with Balaban & Katz for Loop theatres. It was later held in abeyance pending negotiations with Harry and Elmer Balaban for the Esquire, which fell through. The Woods will play the picture two-a-day reserved and the Oriental three-a-day.

In Miami Beach the film will go into the Colony Jan. 25 following a week's run at the Sheridan, and on Feb. 8 it will move from the Colony to the Community for an indefinite run, continuing two-a-day.

In Canada the picture is expected to play early engagements at Loew's, London, Ont., Loew's, Montreal, and the Capitol, Ottawa. The Canadian premiere will be Jan. 26 at Loew's Yonge Street.

Following additional dates were set for three shows a day: Jan. 25, State, Easton, Pa.; Rialto, Allentown, Pa., Boyd, Bethlehem, Pa.; Roxy, Miami, transferring from the Olympia; Jan. 26, State, Altoona, Pa.; Feb. 8, Loew's State, Houston; Paramount, Charlottesville, and Paramount, Lynchburg, Va.; Feb. 16, Paramount, Newport News, Va.

Six new two-a-day showings are: Jan. 24, Grand, Macon, Ga.; Jan. 25, Bijou, Savannah, Ga.; Jan. 28, Royal, Columbus, Ga.; Jan. 31, Imperial, Augusta, Ga.; Feb. 4, Bijou, Brunswick, Ga.; Feb. 5, Palace, Athens, Ga.

Southern Premiere Fixed for 'Lincoln'

RKO's "Abe Lincoln in Illinois" will be given its Southern premiere in connection with the 50th anniversary celebration of Lincoln Memorial University on Jan. 27 at Harrogate, Tenn.

Governor Rivers of Georgia will be among the notables attending. Governor Cooper of Tennessee, Governor Johnson of Kentucky and Governor Price of Virginia also are expected.

A pre-release showing will begin Jan. 25 at the Sheridan, Miami Beach, following the world premiere at the RKO Keith in Washington on Jan. 22. The Miami Beach engagement will be on a two-a-day, reserved seat basis, with prices at 75 cents and $1.10.

He Got It Back

St. John, B. C., Jan. 14.—Mitchell Franklin, manager of the Mayfair here, offered a silver cup for the winner of a golfing tourney in the Young Men's Hebrew Association.

Recently, at a Y. M. H. A. reunion, the trophy was formally turned over to him. He had won first place in the competition.

"LET'S STICK TO 'HIS GIRL FRIDAY', CARY, WE CAN'T RAVE LIKE THESE CRITICS!"

At Radio City Music Hall—

N. Y. POST:
"The fastest, funniest picture in town!"

N. Y. DAILY MIRROR: "A great picture!"

N. Y. DAILY NEWS:
"Furiously-paced comedy... A blessed relief from the solemn sad stories that have been occupying New York screens."

N. Y. JOURNAL-AMERICAN:
"Fast and funny . . . hilarious situations . . . slick performances . . . sparkling dialogue."

N. Y. HERALD TRIBUNE:
"Staged at terrific clip...stars at their top form."

N. Y. TIMES:
"The maddest newspaper comedy of our times."

N. Y. WORLD-TELEGRAM:
"Breakneck speed . . . The gags sparkle and crackle."

N. Y. SUN:
"Fresh and merry... impudent... brisk, hard-boiled, crackling entertainment."

THROUGHOUT THE COUNTRY, IT'S UNANIMOUS, TOO!

ASSOCIATED PRESS:
"Very fast and very funny. Ranks as superlative entertainment!"

PHILA. PUBLIC LEDGER:
"Columbia clicks again. A breath-taking comedy that reminds one of the funniest moments in THE AWFUL TRUTH and YOU CAN'T TAKE IT WITH YOU!"

LOS ANGELES HERALD & EXPRESS:
"Zippiest comedy riot of many a movie season!"

LOS ANGELES EXAMINER:
"Whirlwind entertainment with the speediest action, dialogue and story movement you've seen on the screen!"

BOSTON GLOBE:
"Fast-moving, deliciously funny and altogether perfect!"

FILM DAILY:
"Top flight comedy should be a heavy box-office click!"

WOMAN'S HOME COMPANION:
"Rosalind Russell may well claim the title of screen's leading comedienne!"

HOLLYWOOD CITIZEN-NEWS:
"A humdinger and a crackerjack!"

SCREEN & RADIO WEEKLY:
"Funniest picture I've seen in a long, long time!"

JAY EMANUEL PUBLICATIONS:
"Topline comedy. Excellent performances!"

COLUMBUS DISPATCH:
"Riotously swell comedy! Speed and zest that nearly blows one off his seat!"

CARY GRANT
ROSALIND RUSSELL
in HOWARD HAWKS'
His Girl Friday
with **RALPH BELLAMY**
GENE LOCKHART · Helen Mack
Based on a play by BEN HECHT and CHARLES MacARTHUR
Screen play by CHARLES LEDERER · Directed by
HOWARD HAWKS · A COLUMBIA PICTURE

Are We Happy!

THE PRIZE BABY OF THE INDUSTRY PERFORMS A Miracle!

ABRAM F. MYERS

HERMAN ROBBINS, PRESIDENT
NATIONAL SCREEN SERVICE CORPORATION
630 NINTH AVENUE, NEW YORK

I HAVE JUST LEARNED OF THE WRITING OF A CONTRACT BETWEEN NATIONAL SCREEN SERVICE AND PARAMOUNT PICTURES INC. WHEREBY YOU WILL CONTINUE TO RELEASE TRAILERS FOR PARAMOUNT AND IN ADDITION WILL TAKE OVER PARAMOUNT'S ACCESSORIES BUSINESS. PERSONALLY AND IN BEHALF OF THE ALLIED DIRECTORS I CONGRATULATE YOU ON THIS HAPPY OUTCOME OF YOUR NEGOTIATIONS. IN ADDITION I CONGRATULATE THE RESPONSIBLE OFFICERS OF PARAMOUNT ON THEIR VISION IN CONTINUING RELATIONS WITH A COMPANY THAT HAS SERVED THE EXHIBITORS AND THE INDUSTRY SO WELL. ALLIED HAS OFTEN EXPRESSED CONCERN AT THE ENTRANCE OF DISTRIBUTORS INTO THE TRAILER BUSINESS AND THE COUPLING OF TRAILER WITH NECESSARY SUPPLIES OF FEATURE PICTURES. WE HAVE FELT THAT THE TRAILER BUSINESS HAVING TO DO WITH ADVERTISING WAS A DISTINCT ENTERPRISE AND SHOULD BE KEPT SEPARATE FROM THE DISTRIBUTION OF PICTURES. WE ARE HAPPY THAT PARAMOUNT HAS DECIDED TO MAINTAIN THIS DISTINCTION AND TO CONFINE ITS TRAILER BUSINESS TO THE OLD ESTABLISHED AND RELIABLE NATIONAL SCREEN SERVICE. WE HOPE THAT OTHER DISTRIBUTORS NOW IN THE TRAILER BUSINESS WILL SEE THE WISDOM OF FOLLOWING A LIKE COURSE. YOUR ENTRANCE INTO THE ACCESSORIES FIELD DOUBTLESS WILL GIVE RISE TO SOME PROBLEMS AT FIRST BUT BASED ON EXPERIENCE WE ARE CONFIDENT THESE WILL BE ADJUSTED TO THE SATISFACTION OF THE EXHIBITORS. THIS IS AN AUSPICIOUS BEGINNING FOR 1940 AND WE HOPE YOUR SUCCESS WILL CONTINUE THROUGH THE YEAR.

ABRAM F. MYERS, CHAIRMAN OF THE
BOARD, ALLIED STATES ASSOCIATION
OF MOTION PICTURE EXHIBITORS

COL. H.A. COLE

HERMAN ROBBINS
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK

CONGRATULATIONS TO YOU AND YOUR COMPANY ON DEAL JUST CONSUMMATED COVERING DISTRIBUTION OF ALL ADVERTISING ACCESSORIES BOTH TRAILERS AND PAPER. I HAVE FOUGHT MANY YEARS AGAINST DISTRIBUTION OF TRAILERS BY INDEPENDENT FILM COMPANIES FIGURING THAT THE INDIVIDUAL EXHIBITOR WOULD SUFFER BOTH IN SERVICE AND COST. THIS TREND WAS DANGEROUS AND I AM HAPPY TO NOTE CHANGE IN RIGHT DIRECTION. WHILE DISTRIBUTION OF PAPER BY YOUR COMPANY IS NEW I AM HOPEFUL IT WILL BE PRODUCTIVE OF IMPROVED SERVICE AND LESSENED COST.

REGARDS. COL. H. A. COLE

ED KUYKENDALL

MR. GEORGE DEMBOW
NATIONAL SCREEN SERVICE
NEW YORK CITY

I AM SURE I EXPRESS THE SENTIMENTS OF EXHIBITORS EVERYWHERE, WHEN I CONGRATULATE NATIONAL SCREEN SERVICE, THROUGH YOU, BECAUSE OF THE RECENT SIGNING FOR THE HANDLING OF SCREEN TRAILERS FOR PARAMOUNT PICTURES.

MOST EXHIBITORS THAT I HAVE CONTACTED, AND THAT INCLUDES MANY, ARE OF THE OPINION THAT CENTRALIZED HANDLING OF COMING ATTRACTION TRAILERS WOULD BE MUCH MORE BENEFICIAL TO THEM, THAN TO BE FORCED TO BUY TRAILERS FROM VARIOUS SOURCES.

AND I FEEL THAT THEY ARE OF THE SAME OPINION AS TO ADVERTISING GENERALLY, I MEAN BY THAT, A HIGHLY SPECIALIZED ORGANIZATION TO SUPPLY ALL ADVERTISING MATTER ON ALL PRODUCTS, COULD NOT HELP BUT BE BENEFICIAL TO EXHIBITORS, TO REPLACE THE HAPHAZARD METHODS OF SECURING MATERIAL FROM MANY DIFFERENT SOURCES.

ED KUYKENDALL

MAX A. COHEN

MR. HERMAN ROBBINS
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK

PARAMOUNT'S INITIATIVE IN TRANSFERRING THE SALE AND DISTRIBUTION OF THEIR STANDARD ACCESSORIES TOGETHER WITH RENEWAL OF THEIR TRAILER FRANCHISE TO NATIONAL SCREEN IS A MOST COMMENDABLE MOVE AND FOR WHICH PARAMOUNT AND NATIONAL SCREEN SHOULD BOTH BE CONGRATULATED. MORE IMPORTANT EVEN THAN AS IT AFFECTS THESE COMPANIES ARE THE RESULTANT BENEFITS THAT WILL BE DERIVED BY EXHIBITORS OF EVERY DESCRIPTION. AND IN SAYING THIS I AM SURE THAT I SENSE THE OPINION OF NOT ONLY THE MEMBERSHIP OF MY ORGANIZATION BUT THE EXHIBITORS AT LARGE. SPECIALIZING IN A SELECTED FIELD CAN ALWAYS MEAN FOR BENEFITS TO BOTH BUYER AND SELLER. NATIONAL SCREEN'S CONCENTRATION ON THEATRE ADVERTISING SHOULD MEAN EXACTLY THAT. NATIONAL CAN ALWAYS BE ASSURED OF MY CONTINUED SUPPORT TO THEIR NEWEST BABY, ADVERTISING ACCESSORIES, INC.

MAX A. COHEN
ALLIED THEATRE OWNERS OF NEW YORK

OUTSTANDING EXHIBITOR LEADERS AGREE THAT HERE IS ONE PLAN WHICH BENEFITS ALL!

W. AL STEFFES

HERMAN ROBBINS, PRESIDENT
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK

I HAVE JUST BEEN RELIABLY INFORMED THAT YOU HAVE CLOSED A DEAL WITH PARAMOUNT PICTURES WHEREBY YOU ARE AGAIN GOING TO DISTRIBUTE THEIR TRAILERS AND IN ADDITION THE PARAMOUNT STANDARD ACCESSORIES. ALLOW ME TO CONGRATULATE YOU ON THE COMPLETION OF THIS DEAL. PARAMOUNT IS ALSO TO BE CONGRATULATED. THERE IS NO QUESTION BUT THIS DEAL WILL WORK OUT ADVANTAGEOUSLY TO THE THEATRE OWNERS OF THE COUNTRY INASMUCH AS NATIONAL SCREEN HAS ALWAYS BEEN VERY VERY FAIR IN THEIR DEALING WITH EXHIBITORS. I AM POSITIVE WHEN THE ANNOUNCEMENT IS MADE IT WILL MEET WITH SPONTANEOUS APPROVAL BY EVERY THEATRE OWNER IN THE COUNTRY. EXTENDING TO YOU THE SEASON'S GREETINGS AND A HEALTHY PAT ON THE BACK TO BOTH YOU AND PARAMOUNT I AM SINCERELY

W. AL STEFFES

HARRY BRANDT

HERMAN ROBBINS
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK CITY

HAVE JUST LEARNED OF PARAMOUNT NATIONAL SCREEN TRAILER ACCESSORY ARRANGEMENT. THINK THIS WISEST MOST SENSIBLE BUSINESS DEAL IN MANY A MOON FROM BOTH EXHIBITOR AND PRODUCER STANDPOINT HENCE MY CONGRATULATIONS TO PARAMOUNT AND NATIONAL SCREEN. CANNOT SEE HOW ANY EXHIBITOR NO MATTER WHAT CLASS OR LOCATION CAN HELP BUT BENEFIT FROM NATIONAL SCREEN HANDLING INDUSTRY'S ADVERTISING THROUGH CENTRALIZED SOURCE OF DISTRIBUTION. NATIONAL SCREEN HAS ALWAYS SERVED EXHIBITORS WITH PROGRESSIVELY GOOD SCREEN ADVERTISING AT REASONABLY LOW RATES. INCLUSION OF ACCESSORIES UNDER SAME PRINCIPLE USED IN TRAILER DISTRIBUTION SHOULD MEAN FOR A WIDER RANGE OF LOBBY ACCESSORY SERVICE CONCENTRATED IN ONE SOURCE WHICH CANNOT DO OTHER THAN PROVE BOOM TO INDUSTRY ENTHUSIASTIC ABOUT ANY INNOVATION HELPFUL TO INDUSTRY. SO CONGRATULATIONS AGAIN.

HARRY BRANDT, INDEPENDENT THEATRE
OWNERS ASSN., INC.

NATIONAL SCREEN SERVICE

PRIZE BABY OF THE INDUSTRY

'Hunchback' Seattle Lead With $6,400

Seattle, Jan. 14.—Holdovers tended to cut down gross figures here, in addition to very cold weather. "The Hunchback of Notre Dame" in its second week at the Fifth Avenue took $6,400.

Estimated takings for the week ending Jan. 12:

"Gulliver's Travels" (Para.)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $2,100. (Average, $4,000)
"Hunchback of Notre Dame" (RKO)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $6,400. (Average, $7,000)
"The Amazing Mr. Williams" (Col.)
"Blondie Brings Up Baby" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 3rd week. Gross: $4,600. (Average, $5,000)
"Judge Hardy and Son" (M-G-M)
"The Witness Vanishes" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,300. (Average, $4,000)
"Geronimo" (Para.)
"Reno" (RKO)
ORPHEUM — (2,450) (25c-40c) 7 days. Chief Thunder Cloud in person. Gross: $4,900. (Average, $6,000)
"The Man from Montreal" (Univ.)
"Main Street Lawyer" (Repub.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Siamese Twins. Gross: $5,500. (Average, $5,000)
"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

Club Aids Finnish Cause

OKLAHOMA CITY, Jan. 14.—The local Variety Club donated $300, the biggest single contribution to the Finnish Relief Fund received by the *Daily Oklahoman* and Oklahoma City *Times*.

New York Reviews

"Heroes of the Saddle"

(Republic)

The Three Mesquiteers, Bob Livingstone, Raymond Hatton and Duncan Renaldo are on a novel assignment in "Heroes of the Saddle." Entrusted with the care of young Patsy Lee Parsons, they are reluctantly compelled to surrender her to the care of an orphanage.

However, they suddenly discover that the institution is run by two unscrupulous commissioners and the Mesquiteers undertake to correct the condition. It is a tough battle, but a successful one, and involves, among other things, the kidnapping of every one of the orphans.

The Mesquiteers perform in their engaging carefree and reckless fashion. Patsy sings one song, as does Loretta Weaver, who is cast in the role of a nurse. Harry Grey produced and William Witney directed.

Running time, 56 minutes. "G."* EDWARD GREIF

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* *"G" denotes general classification.*

"Son of Ingagi"

(Sack Amusement)

An all-Negro film, this probably will provide a measure of entertainment to the simpler tastes of the people for whom it obviously was made, but its range is hardly beyond that.

The story, by Spencer Williams, Jr., and Richard C. Kahn, which the latter also directed, is implausible but should be found occasionally exciting by its particular audience.

It concerns a feminine doctor of peculiar habits, who lives alone in an old house with a huge, brutish man who responds to her bidding from his hiding place in a secret cellar. The brute does away with several people, including the doctor, in a fashion mysterious only to the other members of the cast. Eventually, the man is trapped as flames destroy the house and the young couple who are beneficiaries of the doctors will come into their inheritance without fear of danger.

Running time, 66 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Assets Ruling In RKO Case Set Thursday

(*Continued from page* 1)

effect within five days of its approval.

The Irving Trust will be discharged from its supervision of the proceedings and court jurisdiction will be limited to matters which directly concern the execution of the plan of reorganization, payment of claims and allowances and the granting of a final order of discharge.

Releases are to be delivered to the new company by the Chemical Bank & Trust Company, the Central Hanover Bank & Trust Co., and the City Bank, Farmers, Trust Co., concerns which acted as trustees for various indenture issues of RKO.

The new company is to release the Irving Trust and to agree to hold it harmless from any subsequent suits brought against it as trustee.

The Irving Trust will pay in full all claims previously allowed in addition to future allowances and expenses. It will have a prior lien on company assets for these payments and the right of access to its books and records.

A 1934 injunction restraining transfer of RKO assets is to be vacated. However, creditors and stockholders will still be prohibited from prosecuting suits against the company or from levying on its assets.

Within 40 days, all applications for allowances must be filed with the court, the order provides.

A total of 8,000,000 common shares and 130,000 preferred will be issued by the new company. The Bankers Trust Co. is to act as agent in the transaction.

Atlas Corp. is scheduled to pick up, today or tomorrow, the 249,272 shares of new RKO common stock not subscribed for by unsecured creditors when the new 500,000-share issue was offered. Less its underwriting commission of 25 cents per share on the unsubscribed portion of the issue, Atlas will pay $645,816 for this stock.

With slightly more than 250,000 shares subscribed for by unsecured creditors, RKO will realize approximately $1,400,000 on the 500,000-share issue. Out of this, final reorganization costs will be paid and the balance will be applied to working capital.

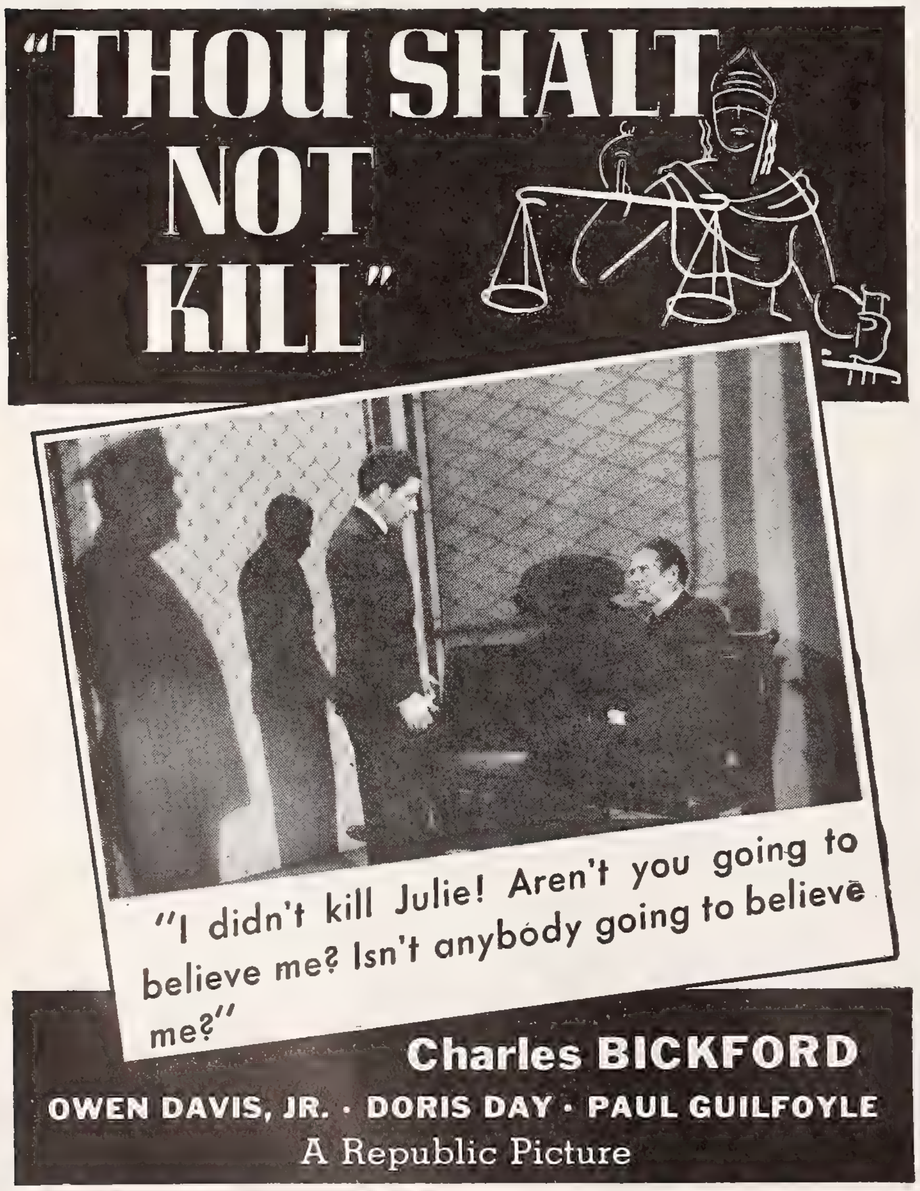
Subscriptions to the new stock, plus conversions of old RKO stock and securities under the reorganization plan, will leave Atlas, R.C.A. and Rockefeller Center holding comparable amounts of the reorganized company's common stock.

Atlas Corp. will hold a total of approximately 692,000 shares, including those held by its subsidiary, the American Co., and those held by it in association with Lehman Bros.

R.C.A. will hold about 673,500 shares and Rockefeller Center about 663,500 shares.

In addition, Atlas will hold 53,000 shares of new RKO preferred, which is convertible into common, and R.C.A. will hold 44,855 shares of the new convertible preferred.

Atlas also may elect to receive its compensation, as proponent of the reorganization plan and for its other reorganization services in additional shares of common stock in an amount to be approved by the court.


"THOU SHALT NOT KILL"
"I didn't kill Julie! Aren't you going to believe me? Isn't anybody going to believe me?"
Charles BICKFORD
OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

'Herbert' $8,000 Providence Lead

PROVIDENCE, Jan. 14.—In an average week, "The Great Victor Herbert," dualed with "All Women Have Secrets," at the Strand took $8,000.

Estimated takings for the week ending Jan. 9-11:

"The Hunchback of Notre Dame" (RKO)
RKO-ALBEE — (2,239) (25c-35c-50c) 3rd week, 7 days. Gross: $4,900. (Average, $6,000)
"The Housekeeper's Daughter" (U. A.)
"Scandal Sheet" (Col.)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"Everything Happens at Night" (20th-Fox)
"Barricade" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,800. (Average, $7,000)
"The Great Victor Herbert" (Para.)
"All Women Have Secrets" (Para.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $6,000)
"The Cisco Kid and the Lady" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Harry Savoy & Co.; Hollywood Rhythmettes; Vicki & Co.; John Tio Co., and the Ross Brothers. Gross: $6,500. (Average, $6,500)
"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $1,800. (Average, $3,500)
"Ninotchka" (M-G-M) (3 days)
"Here I Am a Stranger" (20th-Fox) (3 days)
"The Private Lives of Elizabeth and Essex" (W. B.) (4 days)
"Fast and Furious" (M-G-M) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,550. (Average, $1,700)

On War Committee

TORONTO, Jan. 14.—N. L. Nathanson, president of Famous Players Canadian Corp., has been appointed a member of the National War Loan Committee which will sponsor the Dominion's first war loan of the present conflict, according to J. L. Ralston, Federal Minister of Finance.

RESPONSIBLE LEADERSHIP

EASTMAN'S negative films—*Plus-X*, *Super-XX*, *Background-X*—have special features that more than meet every contingency. This ability is backed up by unmatched photographic quality and unvarying uniformity, the vital factors in Eastman leadership for over fifty years. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

Venice Prizes to Best Films; Korda Picked

(*Continued from page* 1)

particular artistic or technical merit were awarded to the following: "The Mikado," British, entered by General Film Distributors; "Margarita, Armando y su Padre," Argentine; "Tulak Macoun," Bohemia; "Jeunes Filles en Detresse," France; "Veertig Jaaren," Holland; "Bors Istivan," Hungary; "Golden Harvest of the Witwaterstrand," South Africa; "Es War Eine Rauschende Ballnacht," Germany.

Bronze plaques for best short films were awarded as follows: "L'Agneau Mystique," Belgium; "Chartres," France; "Raueber unter Wasser," Germany; "Koennen Tiere Denken," Germany; "The Tough 'Un," (Gaumont British Instructional), Great Britain; "Tokyo - Peiping - Chosen," Japan; "Au Pays des Motzs," Rumania; "Santorin," Switzerland.

The awards were made by the presidency of the Exhibition in lieu of a meeting of the international jury which was prevented from assembly because of the war. This action was taken with the approval of the Italian Ministry of Popular Culture and taking in account the votes expressed by the delegates to the Exhibition and by the Italian members of the jury.

American companies did not enter any films in the Exhibition in accordance with an agreement reached with English and French producers. Some of the British and French producers disregarded this agreement, however.

No American pictures have been sent to Italy since January, 1939, except a few films for adjustment of contracts and to settle a lawsuit.

Four Pictures Set By Boris Morros

HOLLYWOOD, Jan. 14.—Four pictures for 1940 are planned by Boris Morros, the former Paramount musical director said today. They are: "We, the People," a modernized version of "Lysistrata," a filmization of the French play, "Si je Voulais" ("IF I Wish"), and a musical. All will be released through RKO.

Brill Heads Film Board of Review

(*Continued from page* 1)

wanting to become a criminal. In this respect he is really much healthier than the reformer who wants to suppress everything because he doesn't trust himself."

Mutual Re-Elects Heads

CHICAGO, Jan. 14.—All officers and directors of the Mutual Broadcasting System were re-elected here yesterday. Louis Allen Weiss, general manager of the Don Lee network, was named vice-president, a newly-created office.

F. Warner Moves

HOLLYWOOD, Jan. 14.—Unable to come to terms with managers of the Grand National studio, Franklyn Warner, head of Fine Arts, has moved his headquarters to Selznick International.

Key City Grosses at Year High, Totaling $2,077,200

Following is a tabulation listing the total gross by weeks, and the number of theatres involved, from Jan. 1, 1939:

Jan. 5- 6, 1939	151	$1,829,822
Jan. 12-13	145	1,372,400
Jan. 19-20	146	1,368,322
Jan. 26-27	145	1,345,715
Feb. 2- 3	147	1,469,400
Feb. 9-10	147	1,494,600
Feb. 16-17	146	1,393,100
Feb. 23-24	147	1,417,700
March 2- 3	146	1,400,000
March 9-10	147	1,352,050
March 16-17	155	1,366,800
March 23-24	154	1,439,600
March 30-31	151	1,322,225
April 6- 7	151	1,283,100
April 13-14	154	1,639,300
April 20-21	149	1,432,900
April 27-28	151	1,401,600
May 4- 5	154	1,386,280
May 11-12	155	1,352,845
May 18-19	154	1,318,300
May 25-26	155	1,274,050
June 1- 2	153	1,256,050
June 8- 9	143	1,141,700
June 15-16	141	1,133,950
June 22-23	137	1,150,960
June 29-30	138	1,168,750
July 6- 7	125	1,159,550
July 13-14	136	1,146,600
July 20-21	136	1,130,620
July 27-28	136	1,190,000
Aug. 3- 4	140	1,175,850
Aug. 10-11	137	1,276,750
Aug. 17-18	132	1,233,800
Aug. 24-25	140	1,401,150
Aug. 31-Sept. 1	147	1,410,800
Sept. 7- 8	145	1,490,144
Sept. 14-15	148	1,409,600
Sept. 21-22	151	1,399,745
Sept. 28-29	154	1,487,900
Oct. 5- 6	154	1,389,650
Oct. 12-13	137	1,279,000
Oct. 19-20	147	1,387,550
Oct. 26-27	147	1,363,300
Nov. 2- 3	149	1,371,400
Nov. 9-10	138	1,386,200
Nov. 16-17	154	1,487,000
Nov. 23-24	154	1,421,200
Nov. 30-Dec. 1	154	1,565,300
Dec. 7- 8	153	1,510,750
Dec. 14-16	147	1,201,750
Dec. 21-22	149	1,182,900
Dec. 29-30	147	1,493,200
Jan. 5-6, 1940	159	2,077,200

(*Copyright*, 1940, *Quigley Publishing Company, Inc.*)

M. A. Sets Contest To Publicize 'Son'

A nationwide contest to select the "perfect American son" will be staged by United Artists in connection with the release of Edward Small's production, "My Son, My Son."

Grand prize will be a scholarship in a leading preparatory school or university of the winner's choice.

In broadsides now being distributed to exhibitors, United Artists suggests that local merchants be encouraged to tie in with the contest and to contribute merchandise as prizes for winners of local contests. Such local winners also will qualify for several final judgings, from among whom the grand prize winner will be selected.

'Louise' to Carnegie

"Louise," Grace Moore vehicle from the opera, will open at the Little Carnegie Playhouse following the current run of "Katia." Arthur Mayer & Joseph Burstyn, Inc., are releasing the French production.

U. A. Sets Contest Will Feature "69th"

Final details have been completed for the series of 40 reunion dinners to be held throughout the country on Jan. 24 by the World War Rainbow Division. Dinners will feature screenings of "The Fighting 69th," Warner film telling the story of the New York Regiment.

The key dinner will be at the Waldorf-Astoria in New York, which will be addressed by Gov. Gen. Douglas MacArthur of the Philippines through a special radio hookup. The Waldorf dinner will be broadcast over a nationwide hookup, with the proceedings piped into the other dinners.

Jack L. Warner, Edward G. Robinson, Pat O'Brien, Jeffrey Lynn and Frank McHugh will arrive this morning from the Coast for the dinner. They will be met at the station by a delegation from the regiment. James Cagney will come here from his farm in Martha's Vineyard, Mass.

Allied Will Elect At Board Meeting

WASHINGTON, Jan. 14.—Election of officers, plans for the annual convention and the legislative campaign are on the program for Allied States' annual board meeting at the Carlton Hotel here Wednesday and Thursday.

Support of the Neely bill in Congress will be an important topic, as well as the Government anti-trust suit. Abram F. Myers, chairman [illegible] the board, will preside.

Atlantic City, entered by New Jersey Allied, and Indianapolis are the leading contenders for the annual convention.

An Eastern regional conference will be held Tuesday, with Frank C. Lydon, regional vice-president, in charge. Lydon recently was elected president of Independent Exhibitors, Inc., of New England, succeeding Nathan Yamins of Fall River.

This conference will be attended by representatives from New Jersey, Eastern and Western Pennsylvania, Washington, Maryland, Massachusetts and Connecticut.

Lee Newbury of Belmar, president of the New Jersey unit, and Ralph Wilkins of Pittman, vice-president, will attend. I. T. O. of Eastern Pennsylvania will be represented by Joseph Conway of Bala Cynwyd.

Heads of 20th-Fox Due for Premieres

(*Continued from page* 1)

ground scenes of Carmen Miranda for "South American Way."

Harry Brand, studio publicity chief, is due today. John Goring of the exploitation staff has returned from Detroit and will handle the New York roadshow of "Blue Bird." Sam Blair will be in charge in Detroit, where the opening date at the Adams Theatre has been changed from Jan. 26 to Feb. 2.

Irving Berlin, Nunnally Johnson, John Carradine and Johnny Russell of "The Blue Bird" cast will attend the local premieres.

Amusement Industry Rallies to Finns' Aid

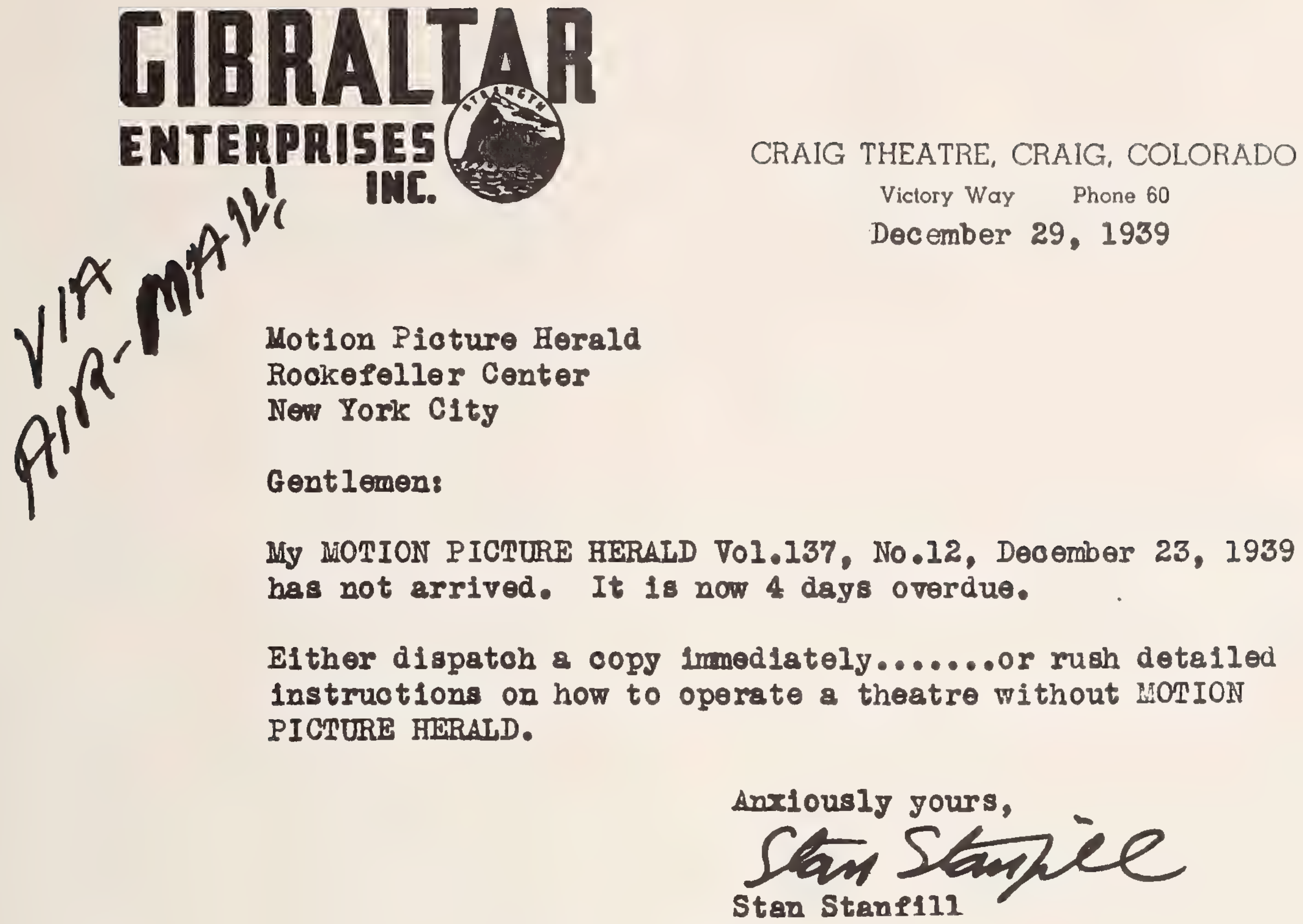
Amusement Committee to Aid Finland has been organized with Helen Hayes as chairman and has pledged former President Herbert Hoover it will raise $1,000,000 for the Finnish Relief Fund, which he heads.

The money will be raised in a series of benefits in which every stage attraction will be asked to give one night's entire proceeds to the Fund. The American Federation of Labor has tentatively promised theater labor will waive salaries.

A radio broadcast with many stage personalities participating will be offered to a sponsor who will pay for it direct to the Fund. Concert managers are organizing a Carnegie Hall concert benefit.

'Our Town' to Star Unknown Actress

An unknown actress has been assigned the leading role in Sol Lesser's "Our Town," which will be distributed by United Artists. She is Dorothy Maguire, who has appeared in legitimate plays and has never worked before a motion picture camera.



GIBRALTAR ENTERPRISES INC.

CRAIG THEATRE, CRAIG, COLORADO
Victory Way Phone 60

December 29, 1939

VIA AIR-MAIL!

Motion Picture Herald
Rockefeller Center
New York City

Gentlemen:

My MOTION PICTURE HERALD Vol.137, No.12, December 23, 1939 has not arrived. It is now 4 days overdue.

Either dispatch a copy immediately.......or rush detailed instructions on how to operate a theatre without MOTION PICTURE HERALD.

Anxiously yours,
Stan Stanfill
Stan Stanfill

One of the reasons why almost every theatre in the United States and Canada and most of the theatres abroad subscribe to Motion Picture Herald ▪ ▪ ▪

MOTION PICTURE HERALD, $5.00 *a year Domestic;* $10.00 *Foreign; 52 issues with which is combined* BETTER THEATRES, 13 *issues yearly.*

MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

P. & G. Again Paces NBC's Advertisers

Procter & Gamble, leading advertiser in 1938, continued as the No. 1 NBC account last year with gross expenditures of $6,485,788, more than twice as much as any other account. Sterling Products, fourth in 1938, was second last year with $3,047,077.

There were few changes in the first 20 accounts. Cummer Products, 23rd in 1938, was 16th in 1939; Lewis-Howe, rose from 28th to 19th position; and Pepsodent rose from 34th to 20th. Campbell Soup dropped from sixth position to 30th; S. C. Johnson & Son, from 14th to 23rd; and Firestone Tire from 17th to 25th.

The leading 15 advertisers, following Procter & Gamble and Sterling Products, were Standard Brands, $2,898,521; General Mills, $2,136,953; General Foods, $2,078,400; American Home Products, $1,724,714; Brown & Williamson Tobacco, $1,707,501; Miles Laboratories, $1,236,254; American Tobacco, $1,219,438; Quaker Oats, $1,192,004; National Dairy Products, $1,164,930; Bristol-Myers, $1,141,548; Liggett & Myers Tobacco, $992,032; Andrew Jergens Co., $763,940; and Cities Service, $718,282.

The average expenditure of each of the 97 sponsors, excluding political time, was $466,402. Expenditures for evening time rose 7.9 per cent over the preceding year to account for 63.8 per cent of the total gross billings of $45,244,354 over the Red and Blue webs.

Weekday daytime expenditures rose 17.2 per cent, to provide 33 per cent of the total, while Sunday afternoon billings dropped 26.2 per cent to provide 3.2 per cent of the total.

Classified by industries, foods and food beverages were first with $14,412,411, or 31.9 per cent of the total. Close behind were drugs and toilet goods with $13,872,839, or 30.7 per cent; soaps, $5,751,483; tobacco, $5,555,716; gasoline, oil and fuel, $1,819,412; automotive, $852,610; confectionery and soft drinks, $649,987.

Seek to Solve Fight Over Scenic Artists

HOLLYWOOD, Jan. 14.—Regional N.L.R.B. Director Spreckels announced yesterday that an informal conference will be held this week with producer representatives and leaders of Scenic Arts Association of America and Moving Picture Painters Local 644. An attempt will be made to solve the jurisdictional dispute between the unions over scenic artists. Both unions have filed petitions asking certification as the collective bargaining agency.

KMPC Now Full Time

BEVERLY HILLS, Calif., Jan. 14.—KMPC has started full time operations with 5,000 watts day and 1,000 watts night on a frequency of 710 kilocycles. The station is now available to CBS network advertisers as an alternate or additional station to CBS regular 50,000-watt station, KNX, at Los Angeles.

England Uses Radio Listening Patrol To Snare Foreign Facts for War Use

MONTREAL, Jan. 14.—One of England's most effective new weapons in the current world war is a radio listening patrol.

Twenty-four hours a day, seven days a week, the listening patrol tunes in on and records news and propaganda broadcasts from all parts of the world, gathering information that might be of value to the British Government.

The patrol is conducted, according to the Canadian Broadcasting Corp., by 40 expert linguists, who use powerful receiving sets in secret centres "somewhere in England."

The patrol covers all principal European countries, the United States and places as far distant from Britain as Japan and Chile. Languages in which this unique patrol works range from the Scandinavian tongues to Arabic and Ukrainian. Apart from speeches by foreign statesmen, the patrol listens to about 150 news bulletins — representing about 250,000 words—every 24 hours.

That is, of course, only the first stage of the work. After the material has been transcribed and translated by the patrol, it passes to an editorial staff whose members are chosen for their knowledge of international affairs and political judgment.

Summaries, written by them, are issued twice each day and often run to 30,000 words in length. They are immediately despatched to approximately twenty-five government agencies and all the departments directly engaged in the prosecution of the war.

This service was organized by the British Broadcasting Corporation in association with the Ministry of Information and is proving of great value to the British Government in revealing enemy activities outside the confines of the actual battlefields.

Television Officials Face FCC Today

WASHINGTON, Jan. 14.—A considerable number of representatives of various television interests are expected to be present tomorrow morning when the F. C. C. opens its hearings on the proposed new rules governing television.

The commission already has approved the rules, which were recommended by its television committee in November, and the hearings are considered more or less of a formality designed to free the F. C. C. of any criticism that it failed to consult with all interests before adopting its regulations.

Du Mont Television Laboratories filed exceptions to the tentative rules and regulations, it was announced Friday. Du Mont stated that it would offer witnesses to prove that the indirect requirement of the standards proposed by the Radio Manufacturers Association would "unnecessarily strait-jacket" the new medium.

New RCA Device Out

RCA Photophone has developed a new automatic electrical device, known as the RCA Electronic Control, which is claimed to have application for theatres for protection against entry, for buzzers and similar uses. It responds to the approach of a person.

Wolff in New Erpi Post

W. A. Wolff, advertising manager since 1929 of Western Electric and Erpi, has been appointed information manager of both companies, it was announced Saturday by P. L. Thomas, public relations director. Wolff is succeeded as advertising manager by H. W. Forster, information manager for the past 10 years.

Preview on Radio

A radio preview of "Little Old New York," 20th Century-Fox film, will be broadcast on the "Good News" program over CBS Jan. 25.

Agency Listing Led By Blackett-Sample

Blackett-Sample-Hummert again was listed by CBS and NBC as the leading agency in 1939 from the standpoint of total business. The agency placed $10,713,088 with both webs.

Young & Rubicam was second with $6,368,344, and J. Walter Thompson was a close third with $6,319,308. Others in the leading 20 were: Benton & Bowles, $5,376,358; Ruthrauff & Ryan, $4,571,332; Lord & Thomas, $3,891,308; Compton, $3,811,128; Pedlar & Ryan, $2,902,570; Ward, Wheelock, $2,595,270; Batten, Barton, Durstine & Osborn, $2,268,563; Newell-Emmett, $1,987,362; William Esty, $1,839,989; H. W. Kastor, $1,732,120; Lennen & Mitchell, $1,527,887; Russell M. Seeds, $1,400,433; Stack-Goble, $1,294,410; Wade, $1,236,254; Gardner, $1,165,253; N. W. Ayer, $1,144,316; Biow, $1,077,486.

F. C. C. Schedules Week's Hearings

WASHINGTON, Jan. 14.—The Federal Communications Commission has set its calendar of broadcasting hearings for the coming week, as follows:

Jan. 15, application of Joe W. Engel for a new 1,370-kilocycle, 250-watt station at Chattanooga, Tenn.

Jan. 16, application of WBAX, Wilkes-Barre, Pa., for renewal of license.

Jan. 17, application of WQDM, St. Albans, Vt., for renewal of license.

Applications for increases in power have been filed with the commission by five broadcasting stations.

The requests were submitted by WIBA, Madison, Wis., for an increase of night power from 1,000 to 5,000 watts; KMED, Medford, Ore., for an increase of night power from 250 to 1,000 watts; WBHP, Huntsville, Ala., for increase of power from 100 to 250 watts, and KFYO, Lubbock, Tex., and KNEL, Brady, Tex., for increase of night power from 100 to 250 watts.

The Radio Reporter

Program News

The Illinois Meat Co. has signed with Mutual for sponsorship of Monday night shows over six stations, beginning Feb. 19 to 8 P. M. It will include a quiz show, with about $500 weekly given, and Harold Stok[illegible] orchestra. . . .

Procter & Gamble is taking "The Right to Happiness" show off NBC-Blue and placing it on CBS, to replace "This Day Is Ours," beginning Monday, Jan. 22. . . .

Robert Ripley's "Believe It or Not" returns to the air on Friday, Feb. 16, at 10:30 P. M. under sponsorship of the Nehi Corp. for Royal Crown Cola drink, over 89 CBS stations. . . .

Formal Attire Squeals

Lucius Beebe, columnist, man-about-town and drama critic for Mutual, has been compelled to abandon stiff shirts while broadcasting. He found that starched shirts squeak and make too much noise when he breathes during a broadcast.

Privacy For Waring!

If you're thinking of dropping in on Bandleader Fred Waring at his NBC studio dressing room some evening, you need not expect to find a welcome mat. Posted on the door is the sign:

Fred Waring
Personal
Private
Quiet
Don't Knock
Don't Smoke
Don't Talk
Don't Chew Gum
Don't Come In

Jim or Jane?

Jay Jostyn, who plays the title role in "Mr. District Attorney," presented his children with two rabbits during the holiday season and they were promptly named "Jim and Tim." Subsequently, "Jim" became the mother of a litter of bunnies. The kiddies, says Jostyn, still can't understand why Jim's name was changed to "Jane."

More Courtesy

David Lowe, WNEW stage and screen commentator, has received 650 letters in response to his campaign for more courtesy from box-office men at legitimate stage

Long Distance Criticism

Barry Wood, the singing star of "The Hit Parade," is always ready for advice. Each Saturday night, after the broadcast, Barry waits for a telephone call from his brother, Lou Rapp, the veteran bandleader, who criticizes his program, piece by piece. No matter where Lou is travelling with his band, the call comes in regularly each Saturday night.

Television in Canada

TORONTO, Jan. 14.—A gathering of 500 persons witnessed the first official demonstration of television in Canada at the Chateau Laurier, Ottawa, under the direction of E. C. Grimley, president of the RCA-Victor Company of Canada.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]. 47. NO: 11 NEW YORK, U. S. A., TUESDAY, JANUARY 16, 1940 TEN CENTS

15 Exchanges Set Up in U.S. By Fine Arts

Seven Films in Release; Seven More Slated

Exchanges in 15 cities, covering 17 spots, have been set up by Franklyn Warner's new Fine Arts Producing and Distributing Corp., Sol Edwards, Eastern representative, said yesterday. In addition, negotiations are under way for exchanges in four other cities.

The new exchanges, and the manager of each, include: Boston, Marcel Mekelberg; Cleveland, Mae Vincent (booker); Chicago, Cleve Adams; Des Moines, for Des Moines and Omaha, Phil Monsky; Kansas City, Sol Hankin; Minneapolis, Eph Rosen; New York, Dick Perry; Philadelphia, Herbert Given: Pittsburgh, Max Shugold; St. Louis, Joseph Hartman; Washington, Joseph Kolisky; Los Angeles, William Riter; San Francisco, Bradley Fish; Detroit, Ralph Peckham; Indianapolis, for Indianapolis and Cincinnati, Had Hull.

Deals are being negotiated in Atlanta, New Orleans, Buffalo and Dallas. The company has already in release seven films, "Shadow Over Shanghai," "Frontier Scout," "Long Shot," "Cipher Bureau," "Panama Patrol," "Exile Express" and "Children of the Wild." In addition, seven new films will be released between Feb. 15 and the end of August.

Coast Flashes

Hollywood, Jan. 15.—The Academy of Motion Picture Arts and Sciences board of governors meets tomorrow night to elect officers and retire the outgoing president, Frank Capra, who has refused to accept a third term. Ballots for nominations for the annual awards will be sent to members and talent Guilds on Feb. 15, returnable Feb. 26. The banquet is scheduled Feb. 29.

Producers' attorneys met today to make what they hope is the final redraft of a contract with the Screen Publicists Guild. The contract will be submitted for approval to Guild Attorney George Bodle, probably tomorrow.

Samuel Goldwyn returned to the studio today and started preparations on a tentative production schedule as "The Westerner" entered its final shooting days.

Publishers Hit Film Portrayal of Press

Harrisburg, Pa., Jan. 15.—Pennsylvania publishers delivered a rebuke to Hollywood producers for distorted portrayals of newspapermen, at the close of their 15th annual convention in the Penn Harris Hotel Saturday night.

A resolution adopted by the organization, known as the Pennsylvania Newspaper Publishers Association, was directed against Hollywood's portrayal of newspaper publishers, editors and reporters in "roles false to real life." Copies of the resolution will be sent to film leaders.

Neely Is Spite Bill, Says Kuykendall

The Neely bill was characterized as pernicious, without benefit to anyone, and the entering wedge for Governmental interference and regulation of the industry, by Ed Kuykendall, president of the M.P.T.O.A., in a statement issued yesterday.

"The measure is endorsed and inspired as a spite bill by a pitiful minority," which has lost its following rapidly and whose own membership is far from being in accord with its few leaders, Kuykendall said.

He stressed the importance of carrying the truth about the measure to the general public, women's clubs in particular. The Neely bill, he pointed out, will tend to increase film rentals and add materially to the buying problems of the small exhibitor particularly.

The Neely bill was passed by the Senate at the last session of Congress. All it now needs is House passage to make it a law.

26 FILM MEN FACE TRUST QUIZ BY U.S.

Oral Examinations Begin Feb. 5; UA Omitted In Federal Order

The government yesterday moved to examine 26 ranking officials of seven of the major defendants in the government anti-trust suit when it served notice of its intention on attorneys for these defendants.

The notice which affects all majors except United Artists Corp. provides for a series of oral examinations at the New York Anti-Trust Division office running from Feb. 5 to March 25.

Under Federal Rules of Civil Procedure, the government may touch upon any phases of the motion picture industry relevant to the suit in its questions, it was indicated. Reliable sources close to the government see no necessity for a delay in the trial date because of the unexpected move.

Harry Cohn, Jack Cohn and Abe Montague, president, vice-president and general sales manager of Columbia Pictures are requested to appear first on Feb. 5.

Others asked to testify are as follows:

From Universal, Nathan J. Blumberg, president, William A. Scully, vice-president and Charles R. Rogers, executive vice-president on Feb. 12.

From RKO, George J. Schaefer, president, Ned E. Depinet, vice-president, and Jules Levy, general sales manager, on Feb. 19.

From Paramount, Adolph Zukor,

(*Continued on page 6*)

War Cuts British Production to 60% Says I. Goldsmith

British production this year is expected to be 60 per cent of last year's volume because of the war, according to I. Goldsmith, head of Grafton Films, who arrived late last week from England.

Goldsmith estimated that theatre receipts are off 20 per cent throughout Britain, with a 40 to 50 per cent drop in London due to the blackouts partly compensated by an increase in areas where thousands of evacues are now living.

The strength of the British film production industry lies largely in American cooperation, said Goldsmith. The American companies not only will make all the big budget pictures in England but, because of restricted European markets, this country is now the only territory left where substantial film revenue may be obtained, he said.

The British Government is facilitating matters for the producers and is anxious to keep production going,

(*Continued on page 7*)

'Lion Has Wings' Opening Saturday

"The Lion Has Wings," British war film produced by Alexander Korda, opens Saturday at the Globe on Broadway. New narration has been completed by Lowell Thomas. Release is by United Artists.

National Allied Preparing Fight on Radio Giveaways

Washington, Jan. 15.—A proposal that Allied States units cooperate in combating the "Pot o' Gold" giveaway over NBC, in which $1,000 is awarded every Tuesday night, will be presented at the organization's national board meeting here Wednesday and Thursday.

Also to be considered at the meeting will be other forms of exhibitor competition, chiefly 16 mm films. A review will be given of the industry code situation, the Government's attitude on arbitration and the legislative situation, including the Neely bill.

Abram F. Myers, chairman of the board, will give his annual report. The directors will also discuss the annual budget.

A group of Allied leaders are in New York en route to Washington for the board meeting. Here are Al Steffes, Northwest Allied president; Ray Branch, president of Michigan Allied; Jack Kirsch, Illinois Allied president, and Benny Berger of Bemidji, Minn.

Broadway Grosses Are Hurt by Rains

Sunday's rains hurt business all along Broadway over the weekend. Saturday's business was above average but the bad weather took its toll on the following day.

"Gone With the Wind" continued to play to capacity at the Astor and Capitol for the fourth week. An estimated $22,000 at the Astor and an estimated $80,000 at the Capitol were grossed.

At the Strand, "Invisible Stripes," with the Dead End Kids and Shep Fields' band on the stage, opened big to take an estimated $31,000 for the weekend. "Raffles," with a stage show, drew an estimated $30,000 for the weekend at the Roxy.

"His Girl Friday," with a stage

(*Continued on page 2*)

Negotiating to Sell GN Assets in Bulk

Harry Fromberg, trustee of Grand National, is negotiating with film companies for the sale of assets of the company in bulk, Joseph Dannenberg, attorney for the trustee, stated yesterday. Dannenberg, however, refused to reveal the names of the companies.

Earle W. Hammons, president of Grand National, will be examined by creditors of the company at the next meeting on Feb. 19 before Referee Peter B. Olney, Jr., Dannenberg said. Other officers of the company may testify at the same time.

Fromberg was authorized by the Referee to open temporary offices at 300 Fourth Ave. He will continue business for another 20 days under court order and will bring records of the company up to date.

Public auction of fixtures of the N. Y. office will be held today. California assets must be sold on 10 days notice, an order signed yesterday provided.

Schine Executives In Meeting Today

A United Artists group including Charles Stern, Eastern district manager; Bert Stearn, Central district head at Cleveland, and Monroe Greenthal, exploitation manager, are attending a meeting of 60 Schine circuit executives, managers and publicity directors at Gloversville today.

Louis and Meyer Schine and George Lynch, the circuit's film buyer, are presiding at the one-day meeting. "Of Mice and Men," Hal Roach picture released by United Artists, will be screened this morning, and Greenthal will discuss the advertising, publicity and exploitation campaign on the film, with examples of how it is being sold in various cities.

Edward Weisman Dies

MILWAUKEE, Jan. 15.—Edward J. Weisman, 38, manager of the Educational Film Exchange here for six years and more recently a film salesman, died here following an illness of several years. He is survived by his wife, his mother and two brothers, all of Milwaukee.

Deny 'Ecstasy' Appeal

ALBANY, Jan. 15.—The Court of Appeals has rejected the motion of Eureka Productions, Inc., which holds American distribution rights to "Ecstasy" for permission to bring an appeal to that court from the Appellate Division ruling upholding the ban on the film in New York State.

MITCHELL MAY, Jr.
CO., INC.

INSURANCE

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Specializing
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Motion Picture Industry

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Purely Personal

FRANK C. WALKER has been called to Butte, Mont., by the death of his sister.

●

SAM JAFFE, ELLIOTT NUGENT, I. E. LOPERT, A. LEWIS, JOHN BYRAM, JOHN GOLDEN, HERMAN BERNIE, DAVE BLUM, ARTHUR LOEW, MORT SPRING, JOSEPH ROSTHAL, WILLIAM MELNIKER and ARTHUR KRECKE lunching at Sardi's yesterday.

●

LOU DIAMOND, RUSSELL HOLMAN, TOBY GRUEN, ERNO RAPEE, SAM SHAIN, GEORGE WEEKS, HARRY BUXBAUM, ED SAUNDERS, TED O'SHEA and TOM CONNORS at Nick's Hunting Room in the Astor for lunch yesterday.

●

AL HOFFMAN, assistant manager of Warner's Ritz, Albany, has returned from his honeymoon trip to New York. HOFFMAN married the former DAWN MITCHELL New Year's Day.

●

M. J. SIEGEL, president of Republic Productions, returned to Hollywood yesterday following conferences with H. J. YATES in New York.

●

HARRIS P. WOLFBERG, Metro district manager, has returned to Kansas City after conferring with Division Manager E. M. SAUNDERS.

●

DICK HOGAN, RKO player, has returned to the Coast from his home in Little Rock, Ark., with a bride, the former ELLEN HAYES.

●

LUCILLE BALL, vacationing here, will be guest of honor at The Woman Pays Club luncheon at the Hotel Warwick today.

●

LAWRENCE C. CAPLAN, executive secretary of the Allied Theatres of Connecticut, is the father of an eight-pound son, STEPHEN MARK.

●

CLAUDE MORRIS, exploitation chief at the M-G-M branch in St. Louis, has returned to his office after a business trip to New York.

●

JOHN X. QUINN, M-G-M branch manager in St. Louis, brought his four-year-old son home from the hospital last week.

●

CHARLOTTE SAX, secretary to E. W. AARON at M-G-M, is vacationing at Coral Gables.

●

HANK LINET of Universal has returned from a business trip to Cleveland.

●

BERNIE KRANZE, manager of RKO's branch in Albany, is vacationing at Miami.

●

BEN SMITH, Pamo-Films salesman in Albany, is confined to his home with a cold.

●

COBINA WRIGHT, JR., singer and actress, arrived yesterday from the Coast.

●

AL COCO, booker at M-G-M's St. Louis branch, is ill.

Continue Law Practice

The law firm of Garfield and Seligson having been dissolved, Gustave B. Garfield and Maurice V. Seligson will continue the general practice of law at 285 Madison Ave.

GEORGE J. SCHAEFER, president of RKO Pictures, will leave for California Friday.

●

RALPH STONE, former conductor for NBC and the Hotel Astor, is now one of the three alternating conductors for the Ballet Theatre orchestra now at the Center.

●

WILLIAM SMALLEY, head of the Smalley Circuit, Cooperstown, N. Y., and MIKE KALLET, head of the Kallet Circuit, Oneida, leave this week for vacations in the South.

●

JOHN CROMWELL, director of "Abe Lincoln in Illinois," arrived yesterday for a week before going to Washington for the world premiere of the RKO film on Jan. 22.

●

HOWARD DIETZ, M-G-M advertising and publicity chief, returned from the studio yesterday. He was accompanied by MRS. DIETZ.

●

ART SCHMIDT of OSCAR A. DOOB'S publicity and advertising staff at Loew's is in Syracuse.

●

CHARLOTTE WALERSTEIN of the Columbia publicity department is vacationing at Miami.

●

ERNEST EMERLING of Loew's has been called to Dayton by the death of his wife's mother.

●

R. O. SCHOHAN, formerly manager for M-G-M in Helsinki, is in New York.

Broadway Grosses Are Hurt by Rains

(*Continued from page 1*)

show, drew an estimated $70,000 in its first five days at the Music Hall and will be held over. At the Paramount, "Gulliver's Travels" with Glen Gray's band on the stage ends its fourth week tonight, and should draw an estimated $26,000 for the final stanza. "Remember the Night" starts Wednesday. The third week of "The Light That Failed" drew an estimated $25,000 at the Rivoli. "Cafe Hostess" grossed an estimated $6,000 at the Globe.

The next three films booked for the Music Hall will be "The Shop Around the Corner," "Swiss Family Robinson" and "Rebecca."

'New York' to Open In Miami on Jan. 31

World premiere of "Little Old New York," 20th Century-Fox film, will be held at the Lincoln Theatre, Miami Beach, the night of Jan. 31. This will be a gala opening at advanced prices.

Carl Erbe of the exploitation staff is in Miami Beach preparing for the opening. Christy Wilbert of the advertising department arrives there next week.

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LaHIFF'S TAVERN
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MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Walker to Be Guest At Charities Lunch

Former Mayor James J. Walker will be guest of honor at the annual artists' luncheon of the New York and Brooklyn Federations of Jewish Charities on Friday, Jan. 26, at the Hotel Astor.

David Bernstein, treasurer of Loew's, Inc., has called a special luncheon meeting of the amusement division committee for next Thursday at the Astor at 12:30 o'clock [illegible] discuss plans for the annual affair, to which several hundred persons will be invited. Bernstein stresses that it is urgent that all committee members be present.

Columbia Meeting In Dallas Tomorrow

The third of Columbia's divisional sales meetings will be held tomorrow and Thursday at the Baker Hotel, Dallas, with 27 delegates, representing the southern division, headed by Sam Moscow, division manager. A. Montague, general sales manager, and Rube Jackter, assistant sales manager, will preside at the session.

The second sales meeting was held Sunday at the Blackstone Hotel in Chicago, from where Montague and Jackter went to Dallas. Branch managers present at the Dallas meeting will be W. W. Anderson, Atlanta; C. A. Gibbs, Oklahoma City; H. Duvall, New Orleans; J. J. Rogers, Memphis; R. J. Ingram, Charlotte; J. B. Underwood, Dallas.

Theatres Included in N. Y. Chain Tax Bill

ALBANY, Jan. 15.—The bill of Assemblyman Louis Bennett to amend the tax law relating to operation, maintenance or establishment of chain stores in the state specifically mentions theatres in the definition of the word "store."

License fees prescribed for "stores" would be: annual license fee of $50 for each store in excess of two and not more than five; $250 for each store in excess of 10 and not more than 25; $1,000 for each store in excess of 25.

Lorang Dinner Feb. 27

The banquet in honor of Nick Lorang of the Astor's Hunting Room will be held Feb. 27 at the hotel, not Jan. 27, as previously reported.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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GULLIVER WOWED 'EM IN 201 CITIES and "GULLIVER'S TRAVELS" HAVE JUST BEGUN!

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Atlanta, Ga.
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Macon, Ga.
Savannah, Ga.
Memphis, Tenn.
Ft. Smith, Ark.
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Jackson, Miss.
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Ashville, N. C.
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Allentown, Pa.
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Baltimore, Md.
Washington, D. C.

Paramount Pictures

Norfolk, Va.
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Pittsburgh, Pa.
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New Castle, Pa.
Butler, Pa.
Altoona, Pa.
Meadville, Pa.
Charleroi, Pa.
Toronto, Ontario, Canada
Windsor, Ontario, Canada
Ottawa, Ontario, Canada

6 MEN WAITING, while death sat off in the distance, like a vulture in a tree—and every man's thoughts on the woman who had blundered into their hearts!

National Release—Jan. 26th

FAMOUS PRODUCTIONS *presents*

DOUGLAS FAIRBANKS JR. · JOAN BENNETT

in

REEN HELL"

with

JOHN HOWARD · ALAN HALE · GEORGE BANCROFT
VINCENT PRICE *and* **GEORGE SANDERS**

Original story and screenplay by FRANCES MARION

Directed by JAMES WHALE · *Produced by* HARRY EDINGTON

A JAMES B. WHALE PRODUCTION · **A NEW UNIVERSAL PICTURE**

26 Film Chiefs Called To Give Trust Suit Data

(*Continued from page* 1)

chairman of the board of directors; Barney Balaban, president, and Neil F. Agnew and Y. Frank Freeman, vice-presidents, on March 4.

From Warner Bros., Harry M. Warner, president, and Jack Warner, vice-president, on March 11. Joseph Bernhard, president of Warner Bros. Circuit Management Corp. and Gradwell L. Sears, president of Vitagraph, are requested to appear on the same day.

From Twentieth Century-Fox, Joseph M. Schenck, chairman of the board of directors; Sidney R. Kent, president; Darryl F. Zanuck, vice-president, and Herman Wobber, general manager of distribution, on March 18. Spyros Skouras, president of National Theatres Corp., is asked to attend on the same day.

From Loew's and M.G.M., Nicholas M. Schenck, president; Charles C. Moskowitz, assistant treasurer; William F. Rodgers, general sales manager, and Louis B. Mayer, vice-president in charge of production, on March 25.

"Reasonable notice in writing to every other party to the action" is required under Federal Rules to obtain oral examinations by the government.

Attorneys for majors may contest the government action, under these rules, upon an application to the court on "good cause shown." Attack may be made on the right to any examinations or efforts of majors can be directed towards limiting the scope of the examination, providing for only written interrogatories or changing the location of the examinations. In addition, the majors may ask that testimony of witnesses be withheld from the public.

United Artists' officials were examined by the government last Summer and no further testimony will be sought, it is understood.

In addition to Special Assistant Attorney General Paul Williams, the notice was signed by Special Assistants Robert L. Wright and Thomas J. Lynch, new figures in the suit.

Cartoon Guild Loses Labor Board Case

WASHINGTON, Jan. 15.—The National Labor Relations Board today dismissed all proceedings in the controversy between the Screen Cartoon Guild and Walter Lantz Productions, Universal Pictures, Loew's, Inc., Association of Motion Picture Producers, M.P.P.D.A., Raymond Katz Studio and Leon Schlesinger Productions in order to clear the way for a new petition bv Screen Cartoonists Union, Local 852.

Walsh Still Testifying

BOSTON, Jan. 15.—George C. Walsh, Netco theatres official, who began his testimony on Jan. 9 in the Morse and Rothenberg anti-trust suit against the major film companies, spent another whole day on the stand. It is expected that he will end his testimony tomorrow.

Radio Brevities

NBC television hit a new entertainment high last Friday night with the presentation of "Meet the Wife."

Judged by any standards, the television version of that play was highly satisfactory. Some of those who witness television programs regularly called it the best telecast in several months.

The weekly play usually provides the best program from an entertainment standpoint. Boxing and wrestling are also popular regular television persentations.

Schenectady Station Ready

From Schenectady comes word that the new television station, which is to be the first to pick up NBC's television signals and resend them, has been completed and that testing has started. Thus far, however, the testing is on the ground with actual telecasting still a little ways off.

'Harvest' on Air

The film "Harvest," whose failure to be mentioned as the N. Y. critics' choice as best foreign film caused such a rumpus last week, will get radio time after all. "Five Star Final," over WMCA Sunday, will dramatize a scene from the film.

Program News

"Life Begins" will replace "Brenda Curtis" on CBS next Monday for Campbell's Soup. . . . Sterling Products has renewed "Manhattan Merry-Go-Round" over NBC-Red for an additional 52 weeks, effective Feb. 4. . . . Following a successful test last Saturday, CBS is starting a new educational series on its New England network, called "Campus on the Air." Undergraduates from 27 colleges and universities will submit ideas to a 10-man undergraduate board. It will be heard Saturdays at 5 P. M. . . . "Orphans of Divorce" has been renewed for an additional 52 weeks by R. L. Watkins Co. for Dr. Lyons toothpowder over NBC-Blue. . . .

Personalities in the News

Thomas D. Connolly, assistant to Victor M. Ratner, CBS director of sales promotion, speaks today before the Advertising Club of Springfield, Mass. . . . Robert A. Simon, WOR's director of continuities, will conduct a course in radio script writing at N.Y.U. this coming semester. . . . Elmer Davis, CBS news analyst, is making three 12-inch records on events leading up to the war for use in schools and colleges. . . . William Thomas Hamilton, formerly with WNEW, has joined WOR's sales department. . . . Howard Steiner and Bill Watters have formed a new song writing team. Their offices will be in the Park Central Hotel. . . . Fred Allen may appear as guest on "Information, Please" in the near future. . . . Bob Trout will broadcast the President's Birthday Ball for the fifth successive year.

Start Work on New Fleischer Cartoon

Miami, Jan. 15. — Work started today on a new $1,500,000 feature cartoon at the Fleischer Studio here, to be produced by Max Fleischer, directed by Dave Fleischer and with the writing staff headed by Edmond Seward.

As yet untitled, the cartoon will be based on a Greek mythological story, will run seven or eight reels, and will be ready for Paramount release by the Christmas holidays in 1940.

FCC Hears Attack On Television Rules

WASHINGTON, Jan. 15.—Regulations relating to the semi-commercialization of programs were under attack today as representatives of the television industry began presentation of testimony before the F.C.C. in hearings on the new rules.

Testimony was directed chiefly to contentions that the rules should be flexible to permit further development in the field.

Those represented included Maj. Edwin H. Armstrong, the new Committee on Organization of FM Broadcasters, Allen B. Dumont Laboratories, General Electric, General Television Corp., International Business Machines Corp., Don Lee Broadcasting System, Metropolitan Television Co., Philco, Radio Pictures, Zenith Radio, CBS, RCA and Cath-Ray Laboratories.

In its annual report to Congress, the F.C.C. pointed out that technical development "has not reached the stage where it can be standardized in essential details for uniformity."

"It appears highly essential that the industry be encouraged to undertake further practical research leading toward the development of methods which will permit more stations to be accommodated in the limited space, as well as facilitating lower costs in the production of good quality program service to the public," the report added.

Carbon Price Boost Defeated in Britain

LONDON, Jan. 15.—The Cinematograph Exhibitors Association has won its brief but vigorous fight against the pool of carbon manufacturers which threatened an increase in carbon prices, in conjunction with the rationing of the product.

Today the exhibitors won representation on the carbon manufacturers' control committee, and it was agreed that present prices will be retained at least until February. The exhibitors threatened to appeal for the elimination of carbon import duties if their request was not granted.

Delay B. & K. Suit

CHICAGO, Jan. 15.—The government suit against Balaban & Katz and the majors was delayed today until April when the Master in Chancery will hear oral argument. The government has filed answers to defense counsels' charges and the Master will now digest the testimony offered during past two months.

Mutual Boosts Size of Board

Mutual's board of directors was enlarged over the weekend from seven to nine members to provide representation for additional stockholders whose financial participation in the network was announced several weeks ago. The board re-named all present officers and appointed Lewis Alle[illegible] Weiss, of Don Lee, vice-president f[illegible] the West Coast.

Shareholders ratified the five-year plan of operations and appointed an operating committee to meet with Fred Weber, general manager. Officers renamed were Alfred J. McCosker, chairman of the board; W. E. Macfarlane, president; Theodore C. Streibert, vice-president; Weiss; and E. M. Antrim, treasurer and executive secretary.

Board members elected were Antrim, WGN; Willett Brown, Don Lee; H. K. Carpenter, United Broadcasting; Marfarlane, WGN; McCosker, WOR; John Shepard III, Colonial network; Streibert, WOR; Weiss and Weber.

Included on the operating committee are J. E. Campeau, CKLW; Hulbert Taft, WKRC; Ed Wood, Jr., WGN; and Carpenter, Shepard, Streibert and Weiss.

Nick Facing Trial On Second Charge

ST. LOUIS, Jan. 15.—John P. Nick, deposed head of the local operators' union, who was freed last week on a charge of extorting $10,000 from theatre owners in 1936, faces another extortion charge. He was indicted with his former business agent. Clyde A. Weston, on a charge of allegedly extorting $6,500 from theatre owners in 1937. The case has been set for Feb. 5, and the state is ready to try either defendant.

The St. Louis Court of Appeals has under advisement Circuit Judge Ernest Oakley's order ousting Nick and Weston from control of the union and appointing temporary receivers. Munro Roberts, an attorney for a group of union members who intervened in the action, and who has appealed Judge Oakley's order, said yesterday the international union will revoke the local's charter and organize a new local in the event the appellate court upholds Judge Oakley.

6-Day Law Affects Illinois Theatres

SPRINGFIELD, Ill., Jan. 15.—State's Attorney General John E. Cassidy today ruled that the state's six-day week law does not apply to radio stations but does affect theatres.

Enacted in 1935, the law provides that all employers covered by the act must allow their workers at least 24 consecutive hours of rest in every calendar week. The attorney general held that radio stations do not fall into the classifications of employers provided by the law.

Feature Pictures Formed

DOVER, Del., Jan. 15.—Feature Pictures, Inc., has been formed here to deal in places of amusement. The incorporators are Arthur M. Kreidmann, D. E. Newman and M. L. Ciani of New York City.

More Class B Power Looms In SAG Ballot

HOLLYWOOD, Jan. 15.—Class A members of the Screen Actors Guild yesterday were asked to voted on a proposed amendment to the constitution which would give Class B or extra players a measure of autonomy inside and outside the organization.

Ralph Morgan, president of S.A.G., in a letter to top members, urged an affirmative vote to obviate arguments of various factions in the group which have used existing by-laws as a focal point for campaigns against the Guild.

Amendment to S.A.G. by-laws would provide, according to Guild officers:

Collective bargaining agreements affecting rights of B membership shall not be made or amended by the Guild except either with approval of B Council or approval of the majority of B members voting on the question at a meeting or by mail; collective bargaining representation of B members on negotiating committee of Guild.

Approval by B Council of any demands in collective bargaining arbitration which affects rights of B membership.

Right of Class B members by vote of 75 per cent of paid-up membership to file a written notice of two weeks on the board of directors and then call a strike of Class B members against a given producer, such strike not affecting Class A members; and right of Class B members to call for a vote on certain matters through a request of the majority of Class B Council members to board of directors of S.A.G. and not only on a written signed petition of 30 per cent of Class B membership as theretofore provided.

The amendment does not affect the right of the Class B group to withdraw from the Guild by affirmative vote of 51 per cent of the paid-up membership. Ballots must be marked and returned to the Guild by Jan. 22.

'Blue Bird' Brings Fox Officials Friday

A 20th Century-Fox group including Joseph M. Schenck, Mr. and Mrs. Darryl F. Zanuck, Gene Markey and his wife, Hedy Lamarr, will arrive Friday by train from the Coast to attend Broadway premieres of "The Blue Bird" and "The Grapes of Wrath."

Harry Brand, studio advertising and publicity director, arrived yesterday. Ralph Dietrich, cameraman, and Ray Hanrahan, color technician, are also here. They will work with Sidney Lanfield, director, in making sequences with Carmen Mirando for "South American Way." Lanfield arrives tomorrow.

'Green Hell' Opening To Aid Finnish Fund

PITTSBURGH, Pa., Jan. 15.—Proceeds from the world premiere of Universal's "Green Hell," starring Douglas Fairbanks, Jr., and Joan Bennett, at the Alvin Wednesday night will be turned over to the Finnish Relief Fund. Arrangements were made through Herbert Hoover, Fund president; John H. Harris, head of the Harris Amusement Co., and publishers of the Pittsburgh *Post-Gazette*.

Advertising - Less Tabloid, 5¢ Copy, Bows Here June 1

New York City is to have a new afternoon tabloid, which will make its appearance on June 1. It will sell for 5 cents and will be published on the order of a comment magazine, with only one edition daily.

It will be in color with a considerable portion devoted to photographs.

Roy McAllister Ingersoll heads the new venture in which Henry Luce, publisher of "Fortune," "Time" and "Life" magazines, was among the original sponsors. Luce is not connected with the venture now, having given up the idea after months of expensive research shortly after the present European war broke out.

Ingersoll's paper has department store and chain store financial backing amounting to approximately $1,500,000, which sum it is estimated is sufficient to carry the paper through four years without advertising on an average daily circulation of 200,000 copies. Much of its planned departmental news pages will be devoted to department store merchandising and amusements, according to report. Ingersoll formerly was vice-president and general manager of "Time, Inc."

Among financial supporters of the project are listed Marshall Field, John Hay Whitney, George Huntington Hartford, Lessing J. Rosenwald, Dorothy Thompson, Mrs. Louis Gimbel, Phillip K. Wrigley and Chester Bowles, of the Benton & Bowles advertising agency.

FCC Denies Need Of New Legislation

WASHINGTON, Jan. 15.—No new legislation is needed but lack of personnel and equipment is hindering the work of the F.C.C., particularly in the field of radio monitoring and issuance of licenses, the commission declared in its annual report to Congress.

The report stressed the "new and exacting burdens" resulting from the war, and the necessity of maintaining strict neutrality in communications.

There are about 800 broadcast stations, 55,000 amateur stations and 5,000 commercial stations, according to the report. For the calendar year 1938, gross broadcast revenues were $111,000,000 with a net of $19,000,000. The stations employed 23,000 persons, with a payroll of $45,000,000 in 1938.

Lubitsch in Search For Story Material

Ernst Lubitsch has completed his two-picture contract with M-G-M and is now seeking story properties for films his new company, Ernst Lubitsch Productions, will make for United Artists. Lubitsch arrived yesterday from the Coast with his wife, Vivian Gaye.

While the U. A. contract calls for three films in two years, Lubitsch said that the number of films may be increased, depending on available stories.

Sol Lesser, president of Ernst Lubitsch Productions, handles the financial end and Lubitsch, who is vice-president, is in charge of the creative end. Lubitsch said his company has no intention of purchasing an interest in U. A.

40 Years Old

Iowa Falls, Ia., Jan. 15.—The Metropolitan in Iowa Falls recently celebrated its 40th anniversary under the management of E. O. Ellsworth.

The theatre was formally opened in 1899, with Tim Murphy, a popular comedian of that time, appearing in "The Carpet Bagger."

SAG Backs AGVA, Declares Thomson

"The Screen Actors Guild is fully behind the American Guild of Variety Artists," Kenneth Thomson, S.A.G. executive secretary, told the A.G.V.A. meeting at Palm Garden on Sunday. "We are fully cognizant of the promises given this past Summer and they will be carried out. This will be a union of and by performers."

Thomson arrived from the Coast Sunday to spend about two weeks surveying the A.G.V.A. situation. He will then report back to the S.A.G. board on the desirability of his extending his stay here. The meeting, which was attended by about 70 members, was picketed by the Variety Actors Betterment Committee, a group which is seeking the reinstatement of Ralph Whitehead as head of the vaudeville union. Lou Taylor, a night club performer, is head of the committee.

A nominating committee of nine was elected at the meeting and it will meet Friday to select a slate. The constitutional committee of 11 will meet on Jan. 24. The members asked that the seven vacancies on the board of directors be filled with rank and file members instead of "big names."

Appeal in Landis Case Is Up Friday

PHILADELPHIA, Jan. 15.—The appeal scheduled to be argued today before Judge Kirkpatrick in the U. S. District Court of Appeals on an earlier ruling favoring the Landis Theatre against Warner Brothers circuit and the major distributors charged with monopolistic practices, was postponed until Friday because of the illness of Morris Wolf, one of the Warner attorneys. Former Attorney General William A. Schnader, associate counsel with Wolf, asked for the postponement. Senator Harry Shappiro is representing the Landis Theatre.

Lone Ranger Writ Aimed at Republic

The Lone Ranger, Inc., obtained a temporary injunction yesterday from Federal Judge Coxe which restrained Republic Productions, Inc., from hampering the sale of film rights to The Lone Ranger radio series to Universal Pictures. Judge Coxe also enjoined Republic from allegedly advertising its film, "The Lone Star Ranger," in a manner which would tie it up with the radio program.

At the same time the decision denied a request for an injunction which would prevent Republic from releasing a Lone Ranger picture already completed by the defendant.

English Wage Pacts Signed For Theatres

LONDON, Dec. 15 (*By Mail*). — Wage pacts between the Cinematograph Exhibitors Association and the National Association of Theatrical and Kine Employees, labor union serving the industry, have been signed in Coventry and the West of England. Both agreements provide for substantial wage increases and the improvement of working conditions of projectionists and other employes.

A total of 700 film houses are affected by the pacts. In the case of 500 houses, the new conditions operate as from Jan. 1.

New agreements are now expected in London and the Home Counties, in the Eastern Counties' rural areas, in Grimsby and in Manchester.

Sir Kenneth Clark, director of the National Gallery, Britain's museum of classical painting, has been appointed director of the Films Section of the Ministry of Information. He succeeds Sir Joseph Ball, resigned.

Metro Arranges 18 More 'Wind' Dates

"Gone With the Wind" engagements now total 105 in 95 cities, with 18 openings set yesterday by M-G-M.

Seven of the new engagements will be three-a-day as follows:

Feb. 7, Melba, Dallas; Martini, Galveston; Texas, San Antonio; Feb. 8, Hollywood, Fort Worth; State, Austin; Feb. 15, Orpheum, Waco; State, Amarillo.

Two-a-day reserved seat engagements are scheduled for the following 11 situations: Jan. 29, Riviera, Knoxville; Tivoli, Chattanooga; Paramount, Montgomery, Ala.; Jan. 31, Ritz, Birmingham, Ala.; Feb. 8, Fox, Tucson; Sunshine, Albuquerque; Majestic, Wichita Falls, Tex.; Feb. 9, Plaza, El Paso; Feb. 13, Liberty, Tyler, Tex.; Feb. 15, Arcadia, Harlingen, Tex.; Feb. 16, Paramount, Abilene.

War Cuts British Production to 60%

(*Continued from page* 1)

Goldsmith continued. The provision that the American companies' frozen currency in England may be used for production there is an indication of that, he said, as is also the relaxing of petrol rationing and the like.

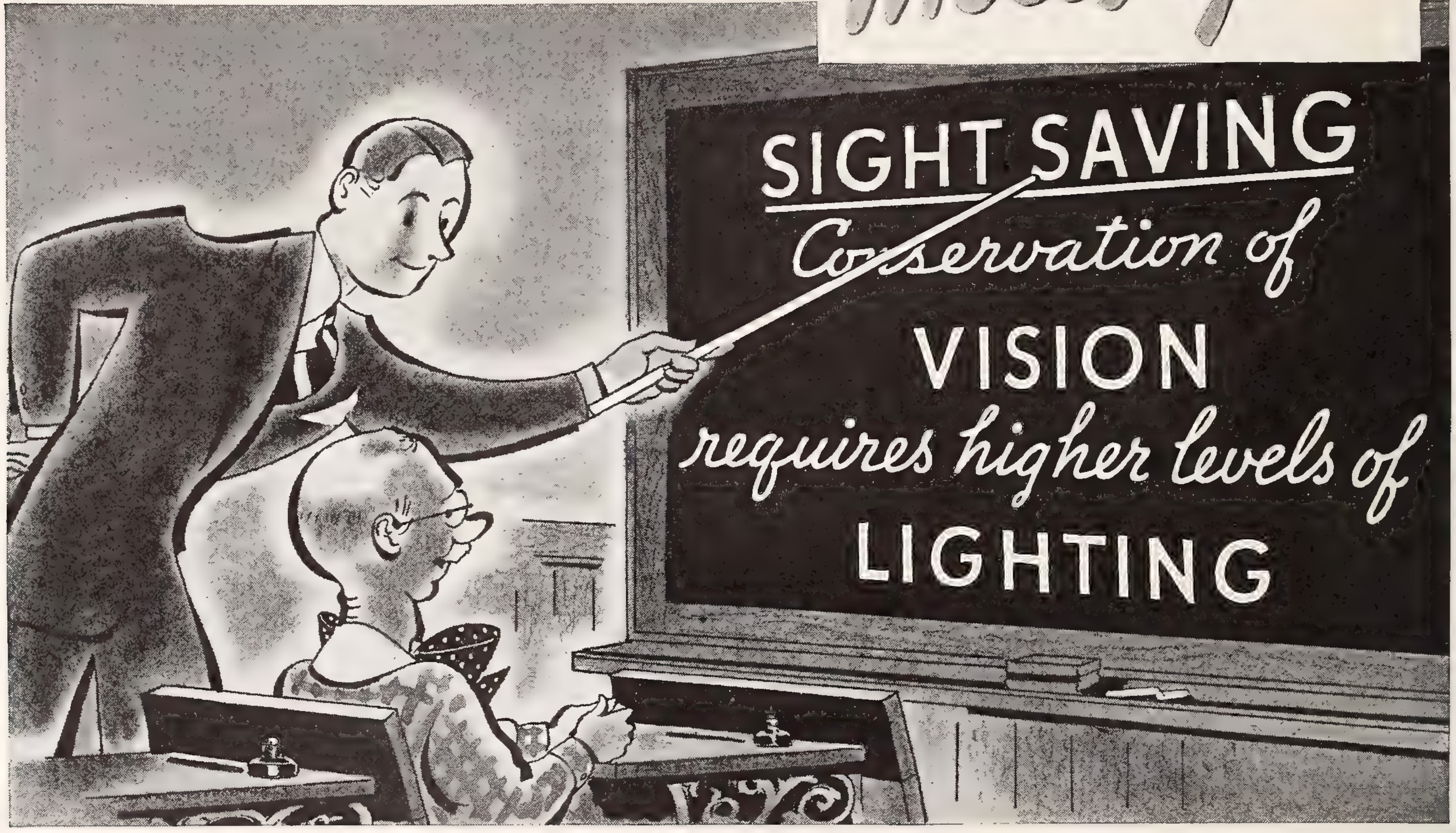
"Production financing is no problem provided the proposition is sound," Goldsmith said. "There are sufficient technicians and other workers. But the war regulations have caused handicaps, such as a shortage of certain lumber and other materials."

Goldsmith came over to negotiate a release for "The Stars Look Down," based on the A. J. Cronin novel. The film features Michael Redgrave, Margaret Lockwood, Emlyn Williams and Nancy Price and was directed by Carold Reed.

Goldsmith formerly was Continental manager for John Maxwell's Associated British Film Distributors and was managing director of Sud Film Co. in Berlin.

THE PUBLIC

IS BEING TAUGHT TO DEMAND *More Light*



MORE LIGHT is the slogan of the day. From newspapers and magazines, the lecture platform and the school, the public is being taught the sight saving value of plenty of light.

Put your theater in step with this upward trend in light intensity. It has popular appeal. People like to enter a theater in which they can *see* their way to their seats. And they can do just that in the many theaters that are now equipped with high intensity projection.

Think this over if you still have low intensity projection. Those first minutes of blindness result from the low level of general illumination necessitated by lack of light on the screen. Don't let poor lighting drive your patrons to other theaters. Install Simplified High Intensity projection and attract that growing body of theater-goers who appreciate plenty of light.

Write for a free copy of the booklet, "The Eternal Triangle in Picture Projection."

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VOL. 47. NO. 12 NEW YORK, U. S. A., WEDNESDAY, JANUARY 17, 1940 TEN CENTS

Loew's Sees U.S. Revenue Far Above '39

'Wind' to Boost Profits; Schenck Re-Elected

By ALFRED FINESTONE

Loew's this year is expected to surpass its domestic earnings in 1939 because of "Gone With the Wind," J. Robert Rubin, vice-president of the company, told 100 Loew stockholders at the annual meeting yesterday at the Loew home offices.

Loew's net earnings in the year ended Aug. 31, 1939, inclusive of foreign income, were $9,841,530.

The board re-elected Nicholas M. Schenck, president, and all other officers of the company at a meeting following the shareholders' session. The stockholders earlier had re-elected all the directors. Stock represented by the stockholders at the meeting amounted to 1,119,668 shares of common and 68,644 preferred.

David Bernstein, vice-president and treasurer, and Leopold Friedman, secretary of the company, and several of the directors were among the officers in attendance. J. Robert Rubin presided in the absence of Nicholas M. Schenck.

Bernstein explained the effect of the

(*Continued on page* 4)

$1,000,000 'Wind' Gross in 7 Cities!

"Gone With the Wind," in the seven cities it has opened, has grossed more than $1,000,000 at the box-office, and in all cases where tickets have gone on sale the advance sale at each theatre equals twice the gross taken by the run of any picture, according to Howard Dietz, M-G-M advertising and publicity director.

The Warner circuit has reported an advance sale of $80,000 in Philadel-

(*Continued on page* 5)

'Pinocchio' to Open On Feb. 6 at Center

Premiere of Walt Disney's "Pinocchio" will be held at the Center Theatre, Radio City, the evening of Feb. 6.

The day following the film will start an extended run of indefinite duration. It is reported the price scale will be 40, 65 and 99 cents. The opening was advanced from Feb. 15, the date originally favored, to give the picture the advantage of the Lincoln's Birthday holiday.

Pascal Signs Up 3-Year UA Deal; Shaw Film First

Gabriel Pascal was signed yesterday to an exclusive three-year producing deal with United Artists by Maurice Silverstone, chief executive of the company.

Pascal's first production for United Artists release will be made in England, but his subsequent pictures probably will be made in Hollywood. He will begin preparations immediately for production of George Bernard Shaw's "Major Barbara," which will feature Wendy Hiller, who played opposite Leslie Howard in "Pygmalion," Pascal's most recent production. Robert Morley, who played on Broadway last season in "Oscar Wilde," will also be in the cast.

Pascal's second United Artists production will be selected from three other Shaw works, "The Doctor's Dilemma," "The Devil's Disciple" and "Caesar and Cleopatra."

Coast reports last night were that John M. Stahl, producer-director, is en route to New York to discuss a U. A. releasing deal.

Pascal Deal Hailed By Bernard Shaw

Hollywood, Jan. 16.—Following the signing of the United Artists distribution contract with Gabriel Pascal, Charles Chaplin, one of the producer-owners of the company, received this cable from George Bernard Shaw:

"Congratulations to United Artists on having captured Gabriel Pascal, the only man living except yourself who knows as much about filming as I do."

GODDARD CHOSEN TRUST TRIAL JUDGE

Counsel Go Into Huddle To Settle Disputes on Interrogatories

Federal Judge Henry W. Goddard yesterday was selected by the Federal Government and attorneys for the major defendants in the Government anti-trust suit to preside at the trial of the action.

Another important development in the anti-trust suit occurred during the day when Judge John C. Knox, after hearing argument on interrogatories of both parties, advised the litigants that the trial must start on May 1. Judge Knox urged an immediate conference on this question in an effort to avoid a formal hearing.

As a result of Judge Knox's suggestion, a conference between attorneys for the majors and the Government started yesterday. Progress towards agreement on interrogatories was being made, it was learned, as the conference continued.

Both Senior Judge Knox, in charge of the assignment of judges to trial

(*Continued on page* 8)

Would Set New York "69th Regiment Day"

Councilman Joseph Sharkey of Brooklyn, introduced a resolution in the New York City Council yesterday to make Wednesday, Jan. 24, "69th Regiment Day" in honor of the regiment and the Warner picture, "The Fighting 69th."

Rogers Drive Set Week of April 18

Major L. E. Thompson, chairman of the annual campaign for Will Rogers National Theatre Week, after conferences with Will H. Hays, has designated the week beginning April 18 for the 1940 drive.

Executive heads of the five major circuits are collaborating with Thompson. They include Charles C. Moskowitz, Loew's; Joseph Bernhard, Warners; Leon Netter, Paramount; John J. O'Connor, RKO; Spyros Skouras, National Theatres, as well as Ed Kuykendall, president of the M.P.T.O.A.; Dave Palfreyman, of the M.P.P.D.A.; Max A. Cohen, A.T.O. of New York.

Proceeds of the campaign are used for the maintenance of the Will Rogers Memorial Hospital at Saranac Lake, for kindred aid for the needy of stage and screen, and for the aid of institutions caring for handicapped children.

The following executives are on the

(*Continued on page* 4)

Fight Television Set Standards

Washington, Jan. 16.—Opposition to the recommendation of the F.C.C. television committee that the R.M.A. television standards be approved is due to developments in equipment which have been made since those standards were adopted, the Federal Communications Commission was told today by television representatives.

W. D. Smith of Philadelphia, Philco engineer, cited the development of the vertical antenna which can be used with a loop in the television receiver, eliminating the necessity for outside aerials and saving set buyers an expenditure of $40 to $50. He declared R.M.A. standards made no provision for such a development.

The picture quality attained with present equipment is pretty good, he testified, but synchronization and sound are bad.

Manufacturers want the standards reconsidered so that they will permit the development of better and cheaper receivers, Smith explained.

One Vote Keeps Ellis Head of Associates

By the margin of a single vote, Jack Ellis of RKO yesterday was re-elected president for a third term of the Motion Picture Associates at the annual elections yesterday at the Hotel Astor.

The contest was the closest in years. Ellis received 62 votes and his opponent, Morris Sanders of 20th Century-Fox, polled 61. This was the

(*Continued on page* 2)

Warners, Brandt Sign Product Deal

Harry Brandt, president of the New York I. T. O. A., has signed with Warners for the complete 1939-'40 feature and shorts lineup for 24 houses of the Brandt Circuit in New York and Brooklyn. The deal was closed by Brandt and Sam Lefkowitz, Warners' New York-Metropolitan branch manager.

Among the films included in the deal are: "The Fighting 69th," "The Castle on the Hudson," "Virginia City," "The Magic Bullet," "Three Cheers for the Irish," "We Shall Meet Again" and "Saturday's Children."

One Vote Keeps Ellis Head of Associates

(*Continued from page* 1)

first time in the 20-year history of the organization that it has elected the same president a third time.

Moe Streimer of United Artists was elected vice-president, defeating Jerome Wilson. Nat Beier withdrew his nomination for treasurer and Saul Trauner of Columbia was reelected.

Other officers elected were: Matthew Cahan, second vice-president; Charles Penser of Monogram, financial secretary, elected without opposition; Moe Fraum, Columbia, recording secretary; Abe Blumstein, 20th Century-Fox, sergeant-at-arms; Jack Hattem, exhibitor, and Joseph J. Lee, 20th Century-Fox, trustees. Charles Berliner was elected chaplain without opposition.

Officers will be installed at the next meeting in two weeks.

Shearer in "Forever"

HOLLYWOOD, Jan. 16. — Norma Shearer will be starred by M-G-M in "Forever," an original story by Mildred Cram, which Sidney Franklin will produce. It deals with two spirits falling in love before birth. They marry different persons in real life and are joined in death.

Opens Canada Exchange

TORONTO, Jan. 16.—James Davidson has resigned as salesman of Superior Films, Ltd., here, to open an independent exchange under the name of Regent Film Co. He has been succeeded at Superior by S. Ginsler, formerly of Empire-Universal Films, Ltd.

Purely Personal

LEO ABRAMS, short subjects sales manager for Universal, left yesterday on an extended tour of the company's western exchanges, in the course of which he will spend a few days at the studio conferring with the short subjects producers. He is expected back in about four weeks.

•

PEGGY O'DONNELL, secretary to JOHN D. HERTZ, JR., of Buchanan & Co., advertising agency, is back at her desk after an automobile accident in which she was injured about a week ago. She is departing on a six-week cruise for her health at the end of the month.

•

LOUIS D. FROHLICH of Schwartz & Frohlich, Ascap counsel, will leave for Pittsburgh this weekend to handle several copyright infringement cases in court there.

•

ERROL FLYNN and MIRIAM HOPKINS arrived here yesterday by plane from the Warner studio. FLYNN will vacation here for a few days and MISS HOPKINS for several weeks.

•

CLIFF LEWIS, Paramount studio publicity and advertising director, will leave the Coast Friday for the home office.

•

MARGARET MITCHELL, author of "Gone With the Wind," is recuperating at the Piedmont Hospital, Atlanta, following an operation.

•

WILLIAM F. RODGERS, M-G-M general sales manager, is due Monday from Florida.

•

NORMA SHEARER is in town from the Coast.

FRANKLYN WARNER, president of Fine Arts, trained out from Hollywood yesterday for New York. He will then tour exchanges which will handle his product.

•

HOWARD DIETZ, LAURENCE BOLOGNINO, TED O'SHEA, TOBY GRUEN, ERNO RAPEE, A. P. WAXMAN, RUSSELL HOLMAN, ED SAUNDERS and GEORGE SKOURAS at Nick's Hunting Room in the Astor for lunch yesterday.

•

WILLIAM BOYD, Western star, arrives Thursday morning from Hollywood for a few days' vacation before going to Washington for the President's Birthday Ball. He is accompanied by his wife, GRACE BRADLEY, actress.

•

JAMES MILLER of the Universal home office print department is convalescing at his home after 10 days at Knickerbocker Hospital for observation and treatment. He is expected back at work next week.

•

HARRY GOETZ, JACK GOETZ, JOSEPH MOSKOWITZ, HARRY BRAND, SAM CITRON, W. RAY JOHNSTON, MAURICE SILVERTONE and WILLIAM GERMAN at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

CHARLES E. MCCARTHY, HERMAN WOBBER, SAM BISCHOFF, WALTER HUSTON, SIDNEY PHILLIPS, AUSTIN KEOUGH and ARTHUR KRIM lunching at Sardi's yesterday.

•

MORRIS ALIN, editor of the Universal house organ, will leave for Florida at the end of the week for a two-week vacation.

•

HALSEY RAINES of HOWARD DIETZ'S staff at M-G-M yesterday was given a birthday luncheon by friends at the Woodstock Hotel.

•

SI SEADLER, M-G-M advertising manager, who has been ill, returns to his desk today.

•

FRANK PHELPS of Warners is in Philadelphia today.

Allied to Elect, Pick '40 Convention City

WASHINGTON, Jan. 16.—Members of the Allied States board of directors opened their annual meeting here today with a discussion of their legislative program for the current session of Congress, in which emphasis will be laid upon the Neely bill.

The meeting, which will continue through Thursday at the Carlton Hotel, also will choose the city for the next Allied national convention and elect 1940 officers.

Honor Selznick Star

A cocktail party will be held Thursday at 5 p. m. at the River Club, 52nd St. and the East River, in honor of Ingrid Bergman, Selznick star. Mr. and Mrs. Ernst Lubitsch will be present.

Bioff in Court Monday

HOLLYWOOD, Jan. 16. — William Bioff, I.A.T.S.E. leader who has been indicted on two counts of U.S. income tax evasion, will appear for plea Monday morning before Federal Judge Jenney.

Newsreel Parade

The midweek issues feature a mine disaster, the Marines sailing for the Caribbean, Hialeah opening and sports events. Reels and their contents follow:

MOVIETONE NEWS, No. 37—Marines leave for Caribbean. War in North China. Girls on Miami Beach. Fur trapping in Canada. Dress fashions. Lew Lehr. F[illegible]ers set hockey record. Hialeah t[illegible]k opens. Golden Glove bouts in Washington.

NEWS OF THE DAY, No. 235—Mine tragedy in West Virginia. G-Men round up terrorist suspects. Marines trek to Caribbean. Hat Fashions. Smallest midget. Sports club in Florida opens. Bob sledding at Lake Placid. Hialeah track opens.

PARAMOUNT NEWS, No. 40—Marines off for war games. Nab alleged terrorists. Wrestler arrives from Europe. Blast in West Virginia mine. Hat fashions. Mile race in Boston. Bob sledding at Lake Placid. Rangers vs. Maple Leafs ice hockey. Action on Finnish war front.

RKO PATHE NEWS, No. 52—Explosion in West Virginia mine. G-Men seize 17 in plot against U. S. General Motors turns out 25,000,000th car. Skaters seek titles in Pennsylvania. Leathernecks sail for war maneuvers. Sailing on Long Island Sound. Indoor track meet.

UNIVERSAL NEWSREEL, No. 841—Arrest 17 on conspiracy charge. Coal mine blast kills 91. Marines sail for war games. Hat fashions. Girl is pistol shooting champ. Citrus Fiesta in Texas. Bette Davis gets film award. Bob sled racing at Lake Placid. Track meet in Boston. Horse racing at Hialeah.

Freeman, Richards Coming from South

Y. Frank Freeman, Paramount vice-president and studio head, will leave the Coast tonight for New Orleans for conferences with E. V. Richards, Saenger Circuit head, before coming to New York. Richards is slated to accompany Freeman here, arriving on Monday.

Freeman and Richards, both members of the Paramount board, will attend the company's monthly board meeting, Jan. 25. New season production plans also will be discussed with home office executives, and Freeman will report to the board on studio operations.

Ends 6 Days of Testimony

BOSTON, Jan. 16.—George C. Walsh, Netco theatre executive, left for New York tonight as his six days of testimony ended today in the Morse and Rothenberg anti-trust suit against the major film companies.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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CHAMPION

ELECTED AGAIN!

The Annual Polls of the trade papers are in! First in Stars! First in Hits! First in the hearts of the ticket-buyers! Leo thanks the exhibitors and newspaper critics who elected him Champ again! Year in and year out it's the same story! It's reflected not only in a sound product but in friendly dealing with the trade. Already within the first days of 1940 M-G-M has revealed new triumphs. "THE SHOP AROUND THE CORNER" (*Margaret Sullavan, James Stewart*) has been picked by columnists as certain to be among the Ten Best of the new year. "STRANGE CARGO" (*Clark Gable, Joan Crawford*) is next to win national acclaim. "BROADWAY MELODY OF 1940" (*Fred Astaire, Eleanor Powell*) is positively the best of this famed series. "NORTHWEST PASSAGE" in Technicolor (*Spencer Tracy*) is destined to be one of the year's Biggest. Just a few of the early year, keeping up the electric pace that's the Talk of the Industry.

THE FRIENDLY COMPANY

Rogers Drive Is Designated April 18 Week

(Continued from page 1)

committee representing the distributors:

Neil F. Agnew, Paramount; Harry Buckley, United Artists; Edward Golden, Monogram; James R. Grainger, Republic; Ned E. Depinet, RKO; Abe Montague, Columbia; William F. Rodgers, M-G-M; William A. Scully, Universal; Gradwell L. Sears, Warners, and Herman Wobber, 20th Century-Fox.

Harold Rodner, Warner executive, who heads the production committee, leaves for the Coast shortly to supervise the filming of the annual short subject, which is shown in theatres throughout the United States during Will Rogers Week. A. P. Waxman is again director of the campaign for Major Thompson.

As in previous years, Eastman-Kodak, duPont and Gevaert are cooperating by contributing rawstock for the short subject. Herman Robbins, president of National Screen Service, is again lending the services of his company to handle the shipment of the prints.

Committees in the field include every branch manager and every salesman in the United States. The general sales managers of the major companies have appointed the following branch managers to act as zone chairmen for the campaign.

Zone managers follow:

Metro—Boston, Morris Wolf; Cincinnati, Edwin Booth; Cleveland, Frank D. Drew; Denver, H. A. Friedel; Detroit, Frank Downey; Los Angeles, Clayton T. Lynch; Portland, Louis Amacher.

20th Century-Fox—Buffalo, Sydney Samson; Indianapolis, George T. Landis; New York City, Harry H. Buxbaum; Salt Lake City, Charles Walker; Washington, D. C., Sam Wheeler.

RKO—Chicago, Jack Osserman; Milwaukee, Arthur N. Schmitz; Oklahoma City, Ralph B. Williams; Philadelphia, F. L. McNamee.

Universal—Atlanta, John Ezell; Minneapolis, Harold Johnson; St. Louis, John E. Garrison; Seattle, Lawrence J. McGinley.

Warner Bros.—Dallas, Doak Roberts; Kansas City, James Winn; Pittsburgh, Harry Seed.

Paramount—Des Moines, R. M. Copeland; New Orleans, E. B. Price; Omaha, Al Mendenhall.

Columbia—Albany, Philip Fox; Charlotte, Robert J. Ingram; Memphis, James Rogers.

United Artists—New Haven, Lou Wechsler; San Francisco, Dennis J. McNerney.

Milwaukee Houses Seek Pact on Policy

Milwaukee, Jan. 16.—A proposed agreement calling for the discontinuance of early bird admissions, dime nights, giveaways and the showing of two "A" features on one program in Milwaukee County is said to hinge upon one circuit, which is reported interested in retaining the early bird admission policy for its de luxe neighborhood houses.

A number of meetings have been held in an effort to arrange a policy which would prove agreeable to independent and circuit operators, and its final approval is to be dependent upon the early bird phase of the plan.

Loew's Visions '40 Domestic Earnings Far Past '39 Figure

(Continued from page 1)

war on the company's income by saying that business in the war zone represents 15 per cent of the total gross, and that because of the September-October theatre blackout in Britain, the company's earnings for the first three months of this fiscal year, beginning in September, will not compare favorably with the same period of the previous year. Business in England now, however, is good.

The company's foreign income ratio as compared to overall income is 35 per cent, he told stockholders. The company's foreign assets were put at $8,700,000.

Both Bernstein and Rubin stated that the early fears caused by the war have disappeared nearly entirely and that films will not be shut out of the war area because "they are as vital as food."

Television, Rubin told the stockholders, is not yet competition for films. Loew's investment in Gaumont British was described as very valuable to the company.

Directors who were re-elected are: George N. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Alexander Lichtman, Charles C. Moskowitz, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, Joseph R. Vogel, David Warfield and Henry Rogers Winthrop.

Remuneration paid to officers of the company for the fiscal year ended Aug. 31, 1939, as revealed at the meeting follows:

Nicholas M. Schenck, $275,000; Louis B. Mayer, $688,000; J. Robert Rubin, $218,000; David Bernstein, $191,000; Leopold Friedman, $1,600 weekly.

These amounts include special income in addition to salaries with the exception of Friedman.

Louis B. Mayer's salary is $2,500 weekly. Bernstein's salary is $104,000 yearly.

Certain executives share in a percentage of the profits only after common stock dividends of $2 a share.

Harry Kirshbaum, an attorney, and Raymond Minkowsky were among the stockholders who asked questions from the floor.

British Legislation Suggestions Ready

London, Jan. 16.—The special committee of the British Films Council is expected to have the final draft of its recommendations for new industry legislation ready by Jan. 26. The memorandum probably will be presented to the full Films Council on Jan. 30.

It is understood in informed quarters that progress has been made toward the establishment of a Film Credits Bank, supported by British Treasury money. Government officials are reported to be friendly toward the industry's problem.

Welles to New York

Hollywood, Jan. 16.—Orson Welles left tonight for New York to confer with George Schaefer, RKO president, on matters believed to pertain to his continuation as RKO producer-director-writer-actor.

Lack of Funds Halts Remake by Lorentz

Washington, Jan. 16.—Pare Lorentz' picture, "The Plough That Broke the Plains," was withdrawn from circulation last April because the drought conditions on which the film were based were so improved that revision was considered necessary, it was revealed at hearings before the House Appropriations Committee. It was disclosed, however, that lack of funds so far has prevented the remake of the film.

Equity Takes Stand On Television Wage

A definite stand on the television wages situation will be sought by Actors Equity when the joint committee of Equity, Screen Actors Guild and American Federation of Radio Artists meets today.

Equity's council yesterday approved a proposed basic agreement covering wages and hours and will seek similar approval from the other unions.

A.F.R.A. has previously indicated that it does not wish negotiations to start until August, when its present contract with the networks expires. S. A. G. officials, however, have indicated that they may side with Equity in this dispute and authorize immediate negotiations.

Details of the scale set by Equity were not disclosed.

Finn Action Shots In Para. Newsreel

First action pictures of the Finnish-Soviet warfare in and around the Mannerheim Line fortifications went out to theatres yesterday in the regular issue of Paramount News.

The film was shipped via the American Clipper and arrived in New York in time for inclusion in the regular release. Pictures include front line shelling, Russian prisoners, interiors of the Mannerheim underground fortifications, Finnish ski troops in action, effects of the severe cold on troops, a 90-truck supply train destroyed by the Finns, and also aerial bombings and resultant fires in Helsinki.

Depositions to Fight Florida Ascap Law

Depositions will be taken here Feb. 6 in Ascap's action to contest the constitutionality of Florida's law to prevent the society from operating within the state.

Prominent Ascap publisher and author members will be called for their depositions by Schwartz & Frohlich, Ascap counsel. Depositions of Florida state officials will be taken several weeks later and the case may be turned over to the Federal court by the end of the month.

Win Warner Contest

Pittsburgh, Jan. 16.—Winners of the Warner Theatres' Tri-State zone exploitation contest for "On Borrowed Time" were: Lige Brien of the Prince, Ambridge; Robert Bowman, Strand, Ridgway; Charles Shannon, Boulevard, Brookline, and Henry Sutton, Regent, Pittsburgh.

Short Subject Review

March of Time, No. 6

(RKO)

Finland, its history and current efforts to maintain its independence is the subject of this newest March of Time release.

The reel draws upon items such as America's initial financial aid to the new-born European republic in 1919, Finland's stake of independence in its current warfare, the popularity of its Minister to the United States in Washington, and American efforts to marshal relief for Finland's aid, to establish mutuality of interest.

The history of Finland is narrated briefly, its people, cities, industries and occupations are pictured and there is a brief resume of events leading up to the Soviet invasion and, finally, the little nation's armed forces at war. It injects a plea for continued material aid for Finland, suggesting that without it that nation cannot hope to overcome its larger adversary.

The subject is interestingly presented, yet in the aggregate adds nothing to the average American's understanding, gleaned from the newspapers, of Finland's difficulties. Running time, 18 mins.

Warners Transfer Lohrenz to Chicago

Kansas City, Jan. 16.—Rud Lohrenz, district manager for Warners here since May, has been transferred back to Chicago, where he will occupy the same post. James Winn, branch manager here since May, becomes district manager for the "prairie district," which includes Kansas City, Omaha, Des Moines, St. Louis and Memphis. O. W. Williamson, Jr., branch manager at Memphis, comes here as branch manager to succeed Winn.

Henry Herbel, district manager at Chicago, goes to Los Angeles as West Coast district manager, replacing W. E. Callaway, who becomes branch manager at Los Angeles.

Beaumont C. of C. Reelects Clemmons

Beaumont, Tex., Jan. 16.—Joseph C. Clemmons of the Jefferson Amusement Co., operating several east Texas houses, has again been honored by election for a second term as president of the Beaumont Chamber of Commerce. His work during the past year has been highly complimented by press and city officials.

J. Balaban at Mayo Clinic

Chicago, Jan. 16.—John Balaban of Balaban & Katz, is at the Mayo Clinic, Rochester, Minn., where he has been for the past week undergoing a physical check-up.

Theatre Aids Finns

The Cinecitta Theatre will aid the Finnish Relief Fund by giving five per cent of its receipts for the week beginning tomorrow.

Film Board's Theatre Facts For N.Y. Area

Theatre statistics in the New York metropolitan area were virtually unchanged during the past year, according to the annual report of the New York Film Board of Trade.

The total seating capacity of Metropolitan theatres dropped 515 to 1,343,883 during the past year although the total number of houses rose to 1,197, four ahead of last year, according to the annual directory of the Film Board of Trade. The figures cover parts of New York State and New Jersey, which are included in the Metropolitan area.

The slight loss of seating capacity despite the greater number of houses is due to the demolition of old houses and the building of new ones with smaller seating capacity, Film Board officials said.

The number of theatres open and operating is 1,072, four less than the previous year, while those closed number 125, eight more than the previous count. The total number of houses equipped with sound is 1,179, one less than last year, while silent houses rose from 13 to 18. This rise is accounted for by the fact that sound equipment is frequently removed from closed houses. All silent houses are closed.

The open houses have a total seating capacity of 1,240,304, compared with 1,246,339 last year, while the closed houses have 103,579 seats, compared with 98,059. Theatres located in New York State number 869 with 991,349 seats, while there are 328 houses in New Jersey with 352,534 seats.

Circuits control 771 houses, 17 more than last year, with 1,023,016 seats while independents control 426, 13 less than last year, with 320,867 seats. Of the circuit houses, 195 are affiliated, three less than last year, and 576 are unaffiliated, 20 more than last year.

Affiliated circuit houses number 129 in New York, with 262,958 seats, and 66 in New Jersey with 118,062 seats. Unaffiliated circuit theatres number 450 in New York, with 519,112 seats, and 126 in New Jersey, with 122,884 seats. Independents have 290 houses in New York with 209,279 seats and 136 in New Jersey with 111,588 seats.

O'Brien and McHugh at B'Nai Brith Benefit

HOLLYWOOD, Jan. 16.—Pat O'Brien and Frank McHugh will be featured at the annual B'Nai Brith benefit at the Wilshire Boulevard Theatre March 16. James Cagney also will appear if he returns from his farm in Martha's Vineyard in time. The three actors and Hugh Herbert are honorary members of the Jewish society.

Board Induction Tonight

New officers of the New York Film Board of Trade will be inducted tonight at the board headquarters in the Paramount Building. New officers are: Jack Bowen, president; Nat Beier, first vice-president; Ben Abner, second vice-president; David A. Levy, treasurer; Myron Sattler, secretary, and Joseph J. Felder, sergeant-at-arms.

Bingo Is Lottery, High Court Rules

Madison, Wis., Jan. 16—The Wisconsin State Supreme Court today unanimously sustained Circuit Judge Charles L. Aarons' decision holding Bingo a lottery and subject to suppression under the Public Nuisance Act.

The decision is a victory for Charles W. Trampe, head of Film Service, Inc., who filed the original action against operators of the Bahn Frei Hall here to restrain them from playing Bingo.

Exhibitors anticipate renewed theatre activity as a result of the victory.

$1,000,000 'Wind' Gross in 7 Cities!

(*Continued from page* 1)

phia for the two-a-day engagement starting at the Boyd tomorrow and for evening and Sunday reserved seats at the Earle, where the run opens Friday.

Dietz returned early this week from a three-week trip to the studio where he saw new product and planned campaigns for forthcoming films.

World premieres of two outstanding pictures have been set, "Young Tom Edison" Feb. 11 at Port Huron, Mich., which figured in the inventor's life, and "Northwest Passage" at the Pinney Theatre, Boise, Idaho, Feb. 20.

"Northwest Passage," in color, will get a big campaign, with $150,000 to be spent in national magazine advertising. The picture is the story of Book One, "Rogers' Rangers," of the best-selling novel, and a picture may be made of the second part. Release is scheduled Feb. 23.

The exploitation program for "Young Tom Edison," Dietz said, will be the largest ever devised by M-G-M.

The story of Edison's life and achievements were found to be so big that it was divided in two films, with Mickey Rooney playing young Edison in the first, which leads into the second, "Edison the Man," in which Spencer Tracy will have the title role. The first film will be nationally released in March and the second is scheduled for May release.

For the first time in motion picture presentation, the campaign on the first picture will tell about the two at the same time. This is to stress that they comprise a continuing story.

"I Take This Woman," in its completed form after being remade in part, "shows what the studio can do," said Dietz. Featuring Hedy Lamarr and Spencer Tracy, it is the story of a young doctor at an East Side clinic and a society girl, and will be released Feb. 2. He predicted it will be "a box-office sensation."

"Broadway Melody of 1940," to be released Feb. 9, in Dietz's opinion is the best of M-G-M's "Melody" pictures and comparable to "The Great Ziegfeld."

Dietz also commented on "Shop Around the Corner," Ernst Lubitsch production; "Congo Maisie," Jan. 19 release, featuring Ann Sothern in the "Maisie" character, and "Strange Cargo," with Clark Gable and Joan Crawford, to be released March 1.

Houston Trust Suit Settlement Reached

HOUSTON, Texas, Jan 16.—The suit of the Joy Amusement Co. operator of the Joy here and other houses in the Gulf area, against the major distributors has been settled satisfactorily, according to Seymour Lieberman, attorney for the company.

The suit, filed in Federal court here, was for an order forbidding alleged discrimination in the distribution of films. The company alleged it was unable to get first grade pictures and charged violation of the anti-trust laws.

Attorney Withdraws From Momand Case

OKLAHOMA CITY, Jan. 16.—J. B. Dudley has withdrawn as one of the attorneys for the defense in the A. B. Momand anti-trust suit against Griffith Amusement Co., Consolidated Amusement Co. and Consolidated Theatres, Inc. Momand is asking $4,500,000 damages, alleging violation of anti-trust laws under the Sherman act.

Club Names Chairmen

CLEVELAND, Jan. 16.—Frank Drew has been named chairman of the house committee of the Variety Club here by President Nat L. Lefton. Other chairmen are Jack Shulman, membership; George Erdmann, welfare; Eddie Miller, general entertainment; L. C. Gross, transportation; Al Gregg, publicity; Joe Leavitt, entertainment for "shut-ins;" Duke Clark, stag night; Bert M. Stearn, Saturday night jamborees.

Studio Work Still Slumps, 23 Shooting

HOLLYWOOD, Jan. 15.—Production slumped still further, with only 23 films shooting, three less than last week's total. Four were finished, two started and one, "The Dark Command" at Republic, will be held up until Feb. 1 because of Claire Trevor's illness.

The tally by studio:

COLUMBIA—Finished: "Passport to Alcatraz."
In Work: "Blondie on a Budget," "Too Many Husbands."
Started: "Men Without Souls."
GOLDWYN—In Work: "The Westerner."
M-G-M—Finished: "New Moon."
In Work: "Forty Little Mothers."
Started: "Hooray! I'm Alive."
PARAMOUNT—In Work: "Down Went McGinty," "Woman from Hell."
RKO—Finished: "Little Orvie," "Bill of Divorcement."
In Work: "The Primrose Path," "Irene," "My Favorite Wife."
SMALL—In Work: "My Son, My Son."
20TH CENTURY-FOX—In Work: "Dance with the Devil," "Hotel for Women No. 2," "I Was an Adventuress," "Cisco Kid No. 2."
UNIVERSAL—In Work: "It's a Date," "Black Friday," "The House of Seven Gables."
WARNERS—In Work: "We Shall Meet Again," "It All Came True," "Saturday's Children," "Three Cheers for the Irish."

Defer Wilmington Action

WILMINGTON, Del., Jan. 16.—Final action on the proposed fire prevention ordinance affecting standing in theatre lobbies and foyers here, has been deferred a week by the Council.

"THOU SHALT NOT KILL"
"You don't think I killed Julie! Reverend Chris, you tell 'em I didn't!"
Charles BICKFORD
OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

Parsons Unit Is Hit in Loop With $40,100

CHICAGO, Jan. 16.—"Brother Rat and the Baby" aided by Louella Parsons and her screen star stage troupe sent the Chicago into the lead with $40,100. "Private Detective" at the State-Lake with the Dead End Kids in person drew $16,000.

"Intermezzo" (U. A.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 2nd week. Gross: $4,200. (Average, $6,000)

"Brother Rat and the Baby" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Louella Parsons and her Starlets. Gross: $40,100. (Average, $32,000)

"The Great Victor Herbert" (Para.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,100. (Average, $5,000)

"Little Accident" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,000. (Average, $13,000)

"Hunchback of Notre Dame" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $16,600. (Average, $12,000)

"Gulliver's Travels" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 3rd week. Gross: $9,200. (Average, $11,000)

"Private Detective" (W. B.)
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: "Dead End Kids" and Revue. Gross: $16,000. (Average, $12,000)

"After the Thin Man" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $9,400. (Average, $14,000)

'Wind' Continuing Pace in Cincinnati

CINCINNATI, Jan. 16.—"Gone With the Wind" took $24,000 in the third week at the RKO Capitol. "Four Wives" gave the RKO Albee $12,300 and "The Honeymoon's Over," plus a stage show, accounted for $13,500 at the RKO Shubert.

Estimated takings for the week ending Jan. 10-13:

"Four Wives" (W. B.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $12,300. (Average, $12,000)

"Balalaika" (M-G-M)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,200. (Average, $10,000)

"The Honeymoon's Over" (20th-Fox)
RKO SHUBERT—(2,150) (42c-60c) 7 days. Stage: "A Night at the Moulin Rouge." Gross: $13,500. (Average, $10,000)

"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1-$1.50) 3rd week. Gross: $24,000. (Average at 35c, 42c, $6,500)

"Swanee River" (20th-Fox)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)

"The Return of the Frog" (Select)
"The Demon Barber of 'Fleet Street'" (Select)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,400. (Average, $1,500)

"Cafe Hostess" (RKO)
"Meet Dr. Christian" (RKO)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)

"The Hunchback of Notre Dame" (RKO)
KEITH'S—(1,500) (30c-40c) 7 days, 2nd week. Gross: $4,700. (Average, $6,000)

'Swanee' Garners $8,200, Tops Omaha

OMAHA, Jan. 16.—"Swanee River," dueled with "Henry Goes Arizona" grossed $8,200 at the Orpheum.

Estimated takings for the week ending Jan. 10-11:

"Hunchback of Notre Dame" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

"Judge Hardy and Son" (M-G-M)
"Honeymoon's Over" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days, 2nd week. Gross: $6,400. (Average, $6,000)

"Swanee River" (20th-Fox)
"Henry Goes Arizona" (M-G-M)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $8,200. (Average, $7,600)

Hollywood Review

"He Married His Wife"

(Twentieth Century-Fox)

HOLLYWOOD, Jan. 16.—Herewith the 1940 successor to the "screwball" comedies so popular in seasons past, and one which makes a strong bid to equal, if not surpass, the box-office prestige of its lineal predecessors.

Like other comedies of a nature dependent upon marital situations for the source of their humor, "He Married His Wife" is adult entertainment. Typical of the gag lines which had its preview night audience in a constant state of laughter is the one which has Spencer Charters, as the Mayor who is re-marrying the divorced couple, saying "I pronounce you neck and neck," while all listen to the finish of a horse race broadcast.

Divorced because of the husband's inability to concentrate on anything except horses, the couple played by Joel McCrea and Nancy Kelly get around to re-marrying only after a continuously comic interlude involving alimony, more horses, a country house party and such masters of the comic technique as Roland Young, Mary Boland and Barnett Parker. Adding to the name value are Cesar Romero, as an impetuous gallant who turns out to have a wife of his own, Lyle Talbot as the dull young man in love with the heroine, if such she is, and Mary Healy. Elisha Cook, Jr. maintains the performance standard set by the rest of the cast in an excellent interpretation of a youth smitten with the benefits of Yoga, involving eyeball-popping and somewhat sustained breathing effects.

Sam Hellman, Darrell Ware, Lynn Starling and John O'Hara have contributed a screen play with celery-crisp dialogue, working from an original story by Erna Lazarus and Scott Darling. Roy Del Ruth's direction points up and adds to the story and dialogue content in a manner which never allows the effect of one situation to drop before another takes its place in the humorous scheme.

Raymond Griffith provided capably for the picture's dressing, working as associate producer on the Darryl Zanuck side of the studio.

Running time, 83 minutes. "A."* WALTER SELDEN

"A" denotes adult classification.

'Hunchback' Gets $12,000, St. Louis

ST. LOUIS, Jan. 16. — Inclement weather proved a difficult obstacle. "The Hunchback of Notre Dame" took $12,000 at the Fox.

Estimated takings for the week ending Jan. 11:

"Judge Hardy and Son" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $13,000. (Average, $13,000)

"The Hunchback of Notre Dame" (RKO)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $12,000. (Average, $11,000)

"Swanee River" (20th-Fox)
"Destry Rides Again" (Univ.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,500. (Average, $4,000)

"Four Wives" (W. B.)
"Private Detective" (W. B.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $12,500. (Average, $11,500)

'Swanee' Big $9,500 New Haven Leader

NEW HAVEN, Jan. 16.—"Swanee River" and "Joe and Ethel Turp Call on the President" at the Loew-Poli grossed $9,500. The second week of "Balalaika" and "Those High Grey Walls" took $2,700 at the College.

Estimated takings for the week ending Jan. 11:

"Balalaika" (M-G-M)
"Those High Grey Walls" (Col.)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)

"Swanee River" (20th-Fox)
"Joe and Ethel Turp Call on the President" (M-G-M)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $9,500. (Average, $8,000)

"The Great Victor Herbert" (Para.)
"Emergency Squad" (Para.)
PARAMOUNT—(2,348) (35c-50c) 4 days, holdovers. Gross: $4,000. (Average, $4,000)

"Four Wives" (W. B.)
"Two Bright Boys" (Univ.)
"Invisible Stripes" (W. B.)
"Flying Deuces" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $4,100. (Average, $5,000)

'Evidence,' Stage Lead Milwaukee

MILWAUKEE, Jan. 16. — "Missing Evidence" on the screen and Bert Wheeler, Ken Harvey and Dave Schooler on the stage of the Riverside was the week's best grosser with $8,400. Snow hurt business.

Estimated takings for the week ending Jan. 11:

"The Great Victor Herbert" (Para.)
"Law of the Pampas" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $5,100. (Average, $4,000)

"Missing Evidence" (Univ.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Bert Wheeler, Ken Harvey, Dave Schooler. Gross: $8,400. (Average, $6,500)

"Gulliver's Travels" (Para.)
"Meet Dr. Christian" (RKO)
"Balalaika" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
STRAND—(1,400) (25c-35c-50c) 4-3 days. Split week. Gross: $1,800. (Average, $1,500)

"The Hunchback of Notre Dame" (RKO)
WARNER—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $4,500)

"Balalaika" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
"Swanee River" (20th-Fox)
"The Honeymoon's Over" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 4-3 days. Split week. Gross: $5,900 (Average, $5,500)

Win 'Nation' Decision

Stone Film Library, Inc.; Treo Film Exchange of N. Y., Inc.; Marion T. Stone and David M. Sohmer have been directed by Federal Judge Alfred C. Coxe to pay $3,500 damages to the Epoch Producing Corp. and Thomas Dixon. Plaintiffs had secured a decision in their favor on Nov. 22 after they had filed suit for an injunction and accounting in which the defendants were charged with illegally distributing and exhibiting the film, "Birth of a Nation."

'Four Wives' Is Denver Hit With $11,000

DENVER, Jan. 16. — "Four Wives" took $11,000 at the Denver. "Gulliver's Travels" turned in $6,500 in its third week at the Denham. A heavy snowstorm and severe cold wav[illegible]it grosses.

Estimated takings for the week ending Jan. 10:

"Swanee River" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)

"Judge Hardy and Son" (M-G-M)
"Mexican Spitfire" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)

"Gulliver's Travels" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $6,500. (Average, $6,500)

"Four Wives" (W. B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)

"Hunchback of Notre Dame" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week. Gross: $9,000. (Average, $9,000)

"20,000 Men a Year" (20th-Fox)
"Little Accident" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)

"Everything Happens at Night" (20th-Fox)
"Heroes in Blue" (Mono.)
RIALTO—(878) (25c-40c) 7 days, "Everything Happens" 3rd week. Gross: $1,750. (Average, $1,750)

'Rulers' at $7,500 Leads Kansas City

KANSAS CITY, Jan. 16.—Holdovers, cold weather, Golden Gloves tournament and the Philharmonic depressed first run takings here. "Rulers of the Sea" took $7,500 at the Newman.

Estimated takings for the week ending Jan. 9-11:

"Swanee River" (20th-Fox)
ESQUIRE—(800) (25c-40c) 6 days, 2nd week. Gross: $1,800. (Average, 6 days, $2,200)

"Raffles" (U. A.)
"Music in My Heart" (Col.)
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $8,100. (Average, $10,500)

"Rulers of the Sea" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $7,500. (Average, $7,000)

"Hunchback of Notre Dame" (RKO)
ORPHEUM—(1,500) (25c-40c) 11 days, 2nd week. Gross: $7,500. (Average, 11 days, $7,800)

"Legion of Lost Flyers" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: La Conga Carnival, including Harry Kahne, Three Youman Bros., Dorothy Dickson. Gross: $5,300. (Average, $5,000)

"Swanee River" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 6 days, 2nd week. Gross: $2,800. (Average, 6 days, $3,300)

Cincinnati's Bingo Gross $1,924,681

CINCINNATI, Jan. 16.—A total of 1,431,861 patrons attended 2,289 Bingo parties here in 1939, at which receipts were $1,924,681.19, and prizes, $465,721.59, leaving net profit of $1,458,959.60 to sponsoring organizations, according to Police Chief Eugene T. Weatherly in his report to City Manager C. O. Sherrill, who issues playing permits to religious and charitable groups. In averages, there were 44 games per week, with a weekly attendance of 44,766.5.

"Although theatre attendance was approximately four times greater than that of Bingo parties, theatre grosses were but little more than twice as much," the chief commented, adding that the average theatre admission was 35 cents, compared with net cost of 60 cents per person at Bingo parties.

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President

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U. S. Film, Radio Services Face Denial of Budget Aid

House Committee Defeats $1,055,000 Allowance; FCC Fund Pared

WASHINGTON, Jan. 16.—Action of the House Appropriations Committee today in refusing an item of $1,055,000 for the Office of Government Reports, is seen as indicating a possibility that funds will be denied for the Federal film and radio services.

The Office of Government Reports formerly was under the National Emergency Council. The films and radio services were part of the N.E.C., later being transferred to the office of Education. At the present time these agencies are operating from funds allocated from relief funds.

During the last fiscal year, before liquidation of the N.E.C., the Office of Government Reports produced 32 15-minute electrical transcriptions of the President, members of the Cabinet and the heads of a number of Federal agencies, which were broadcast by approximately 175 broadcasting stations in 28 states, it was disclosed during hearings before the committee.

The bill carried a total of $2,116,340 for the Federal Communications Commission which, while $8,660 less than budget recommendations, was $278,165 more than its current credit.

The National Archives was given a total of $920,200, $4,800 under budget estimates but $56,200 more than it has this year. The additional funds, however, will not permit the agency to purchase the reproduction equipment which is necessary for the protection of the motion picture films which are deposited with it.

Nearly $200,000 is needed for equipment with which to copy the pictures from the short-lived nitrate film on which they are usually received to the more durable acetate film, it was said.

Columbia, Dunphy Talk Distribution

Columbia is negotiating with C. J. Dunphy for distribution of the two pictures which the latter announced late last week would be produced in New York.

The two films are "Bricks Without Straw," to be directed by Marion Gering, and "Song on Your Bugle." Dunphy said each would be budgeted at $300,000.

"Bricks Without Straw" was announced for independent production here last year, with Sylvia Sidney in the leading role, but the production did not materialize.

With Canadian Forces

TORONTO, Jan. 16.—Herbert J. Sweatman, manager of the Community, Kapuskasing, Ont., has left for England to take over wartime duties as manager of the Beaver Club in London, a recreational center for the Canadian Active Service Force.

Ira Weingrun Dies

NEW ORLEANS, Jan. 16.—Ira Weingrun, 60, for six years operator of the Laurel here, died at his home after an illness of several years. His widow, a son, Moritz Weingrun, and a daughter survive.

Goddard Selected Trust Trial Judge; Queries Unsettled

(*Continued from page* 1)

work, and Judge Goddard have consented to the designation, it was stated. Judge Goddard, a Republican, was appointed to the District Court bench in New York by President Harding in 1923.

The trial of the U. S. anti-trust suit against Ascap several years ago was heard by Judge Goddard. No decision was rendered because the Government did not complete its case. In addition, he has passed on a large number of plagiarism suits in the film industry.

The designation is important since in civil anti-trust suits the presiding judge must render a decision without a jury.

At the hearing before Judge Knox, Colonel William L. Donovan, attorney for RKO, contended that the Government had not lived up to an agreement to postpone prosecution of minor anti-trust suits until the major New York suit had been decided.

Answering this claim, Special Assistant Attorney General Paul Williams stated that the Government would be willing to consent to postponements but would not bind itself to a written agreement. Williams claimed that subsequent events might warrant prosecution of local suits.

Poor Richard Club Draws Film Names

PHILADELPHIA, Jan. 16.—Many picture names will stud the entertainment program tomorrow night at the Poor Richard Club banquet at the Bellevue-Stratford Hotel, annual gathering of the local advertising gentry.

Among those scheduled to appear are Eddie Cantor, Helen Morgan, Phil Baker, Lowell Thomas, Edwin C. Hill, Ted Husing, Clay Boland, Bernice Claire, Irene Beasley, Frank Crummit, Frank Parker, Rubinoff, Gracie Fields, Lew Lehr, Margaret Carlisle, Phil Regan and others.

The club's 1940 Gold Medal Achievement Award will be presented to Dr. Leo S. Rowe, director general of the Pan-American Union. Past recipients of the award included Will Rogers, M. H. Aylesworth, Walt Disney, Will H. Hays and David Sarnoff.

Brooklyn Eagle Sold

The Brooklyn *Daily Eagle* has been sold for $483,000 to the F. D. S. Corp., Wilmot L. Morehouse, referee-in-bankruptcy, revealed. Frank D. Schroth, present publisher, is president of the purchasing corporation.

Reverts to Films Only

PITTSBURGH, Jan. 16.—After 18 days of a stage-picture policy, the Senator has reverted to straight films because the vaudeville bills, although drawing better grosses, were insufficient to warrant the added cost.

TBS Obtains Cash; Ready to Go on Air

Transcontinental Broadcasting System officials said yesterday that the necessary financing for the new network has been obtained and that regular programs would be ready to go on the air Feb. 1, as scheduled. An official announcement is expected today.

Jack Warner East Friday for Reunion

Jack L. Warner, vice-president in charge of Warner production, will leave the Coast on Friday to be guest of honor at the 69th Regiment reunion at the Waldorf-Astoria on Jan. 24, when Warners' "The Fighting 69th" will be screened. Pat O'Brien and George Brent will accompany him.

Several of the film's cast will attend a similar reunion dinner, one of 40 throughout the country, to be held at the Biltmore in Los Angeles. They will include Jeffrey Lynn, Alan Hale, Frank McHugh, Dennis Morgan, Dick Foran, William Lundigan, Guinn Williams, Frank Wilcox, DeWolf Hopper, Sammy Cohen, Tom Dugan and Harvey Stephens.

The New York dinner will be broadcast, the program being picked up at the other affairs. B. G. Shepard, president of the Missouri and Kansas Chapter of the Rainbow Division Veterans, has urged all members to listen in and to see the film at the Kansas City Orpheum.

Writers Will Debate Stand on Neely Bill

HOLLYWOOD, Jan. 16.—Screen Writers Guild members at an open board meeting last night voted not to be stampeded into endorsement of the campaign against the Neely bill and made plans for a meeting to give the writers an opportunity to discuss the proposition.

The decision followed several hours of discussion of the bill and principally concerning the clause requiring that exhibitors be furnished with accurate synopses of picture stories. A committee consisting of Wolfe Kaufman, John Howard Lawson, Dore Schary, Ralph Block and Sidney Buchman was appointed to arrange the meeting of all S.W.G. members. Copies of the bill will be sent to the complete guild roster in order to acquaint them with the proposed measure.

Radio Shows to Star Warner, Fox Films

Two films will receive Coast-to-Coast publicity via radio next week. James Cagney and Pat O'Brien will appear in a dramatization of Warner's "The Fighting 69th" on the Kate Smith hour over CBS on Jan. 26, while Frank McHugh, also in the film, will be interviewed tomorrow by Bing Crosby over CBS. Twentieth-Fox will provide a radio preview of "Little Old New York" on "Good News of 1940" on Jan. 25. Alice Faye, Richard Greene and Brenda Joyce will be heard.

Radio Brevities

Council Programs Off WNYC

ONE of radio's most popular local programs, the WNYC broadcast of the New York City Council in action, went off the air yesterday after the council voted, 12-to-8, to ban the microphone from the floor of the assembly. George Field, program director of WEVD, promptly stepped into the breach by offering to permit leaders of the four political parties represented in the Council to participate in a program of comment on the evening of each session.

Marriage vs. Career

Benay Venuta will be married tomorrow at Sherry's on Park Avenue to Armand Deutsch, advertising agency executive, but she will be on the air, as usual, on the following evening with her Mutual show. Incidentally, the program has been moved forward to 5:30 P. M. Friday to make way for a special feature.

Personalities in the News

Gene Krupa's band will be heard as sustainer from the Fiesta Danceteria over CBS and Mutual 10 *times weekly, starting Saturday. . . . Everett Hoaglund, who is conducting his orchestra at the Waldorf-Astoria, will do the music for the U.A. film, "My Son, My Son."*

"Good News" Cut to Half Hour

Following the trend toward elimination of full-hour variety shows, "Good News of 1940" will be cut to a half hour on March 7. Meredith Wilson and Fannie Brice are definitely set to remain with the show, the agency says, but nothing has been decided about the rest of the talent, with a decision due late this week.

Vallee Returning to Air

Rudy Vallee, who found himself without a sponsor for the first time in many years when Standard Brands cancelled, was signed late Monday by National Dairy Products for Sealtest. Program details are not complete, but it will be an informal variety show, and will occupy the 9:30 *P. M. spot left vacant by "Good News."*

Mutual Adds Two

Mutual will add two new stations, in addition to WTAL, Atlanta, which has been previously announced, to its list of affiliated stations on Sunday. WMPS, Memphis, operated by the Scripps-Howard *Press-Scimitar*, and WTJS, Jackson, Tenn., operated by publishers of the Jackson *Sun*, are the two stations. After allowance for the dropping of 11 Texas State stations, Mutual now has 117 affiliates.

Green Renewed on Three Shows

Philip Morris cigarettes have renewed Johnny Green on all three programs. Green is heard Tuesdays in "Johnny Presents" over NBC-Red, in "Breezing Along" Wednesdays on NBC-Blue, and "Johnny Presents" Fridays on CBS.

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Allied Fights To Stop Foes Of Neely Bill

Attacks Terms for Four Films as 'Excessive'

WASHINGTON, Jan. 17.—Determined to force the block booking issue to a final decision, the Allied States' directorate, meeting here in annual session, today agreed to bend every effort to the organization of national support for the Neely bill and to assuring a full representation of independent exhibitors at any hearings called by the House Interstate Commerce Committee, in charge of the measure.

The Neely bill and the Government suit were the outstanding subjects of discussion at all-day meetings which also touched upon the industry's labor problems, "Gone With the Wind" percentages and the radio situation.

Petitions Besiege Congress

Myers disclosed that members of Congress are receiving large numbers of letters and petitions in opposition to the Neely bill and that work against the measure is being done among newspapers and the welfare, religious and educational groups supporting it. He urged that Allied exhibitors watch for and, if possible, "correct" such publicity.

"It may be that the use of these methods will react against those employing them," he said. "In the mean-

(Continued on page 8)

Ready to Negotiate Television Wages

An immediate start of negotiations for television wage scales and working conditions loomed yesterday after a meeting of a joint committee composed of representatives from Actors Equity, American Federation of Radio Artists and Screen Actors Guild.

The meeting was called principally to iron out differences between Equity and A.F.R.A. on a starting date. Equity has been pressing for immediate negotiations while A.F.R.A. has favored a temporary delay. Radio union officials believe that better terms can be obtained if negotiations are delayed until television is better established.

A compromise was said to have been effected yesterday. Negotiations will be started now, while Equity, which has always claimed exclusive jurisdiction over the field, will permit

(Continued on page 5)

Tommies in France See Films Weekly

London, Dec. 28 *(By Mail)*.—Every British soldier in France who is not on outpost duty sees a motion picture every week.

The official British Government body in charge of supplying screen entertainment for the troops in France has a staff of 65 operator-drivers covering the Western Front with film shows for the army. Feature, cartoon and newsreel compose each show.

Agreement Near On British Withdrawals

An agreement on the manner and extent to which individual companies will participate in withdrawals from the $17,500,000 maximum allocated by Great Britain to the American film industry for export is expected to be reached here within the next few days.

Heads of major companies have been conferring at M.P.P.D.A. headquarters for some time past on the development of an equitable method of apportioning withdrawal shares among the seven participating companies with all except minor details having been agreed upon.

Basis for the withdrawals will be the allocation to individual companies of a percentage of the total exportable amount equivalent to each company's

(Continued on page 5)

SCHINE WINS OVER U.S. IN WRIT FIGHT

Judge Denies Injunction to Stop Acquisition of More Theatres

BUFFALO, Jan. 17.—Schine Chain Theatres, Inc., its affiliates and eight major distributor defendants in the Government's anti-trust suit here won an important point today when U. S. District Judge John Knight filed an 18-page decision refusing to grant a preliminary injunction restraining Schine from acquiring more theatres while the action here is pending.

Has No Effect on Suit

The injunction was asked by the Government during arguments presented last September.

"The court has not had an opportunity to hear or see the parties involved," Judge Knight stated in his opinion. "It is in no position to prejudge a result in this suit. No reason is shown why a trial cannot soon be had."

"It does not seem to the court," the opinion continued, "that the acquisition of a few additional theatres would further delay or seriously embarrass the Government in the trial of this

(Continued on page 5)

Wanger Selected Head of Academy; Capra is Praised

HOLLYWOOD, Jan. 17.—Walter Wanger today was elected president of the Motion Picture Academy of Arts and Sciences, succeeding Frank Capra, who declined to seek the office for the third consecutive term. Capra was drafted, however, as first vice-president.

Other officers named were Edward Arnold, second vice-president; Robert Riskin, secretary; John Aalberg, treasurer, and Donald Gledhill, reelected executive secretary. The officers were elected by the Academy's board of governors.

Wanger, upon his election, said:

"There are 8,500 creative artists in Hollywood and an 85-million-weekly theatre attendance. Both have more in common than mere entertainment. The screen is the greatest social influence, expanding as well as interpreting the American way of living to the whole world. There should be a closer understanding between the creators and their audience.

"The Academy is the only institution in which actor, director, writer,

(Continued on page 8)

250 at Federation Drive Lunch to Honor Walker

John Golden will be chairman and George Jessel, and Ben Bernie toastmasters of the luncheon Jan. 26 at the Hotel Astor under auspices of the Amusement Division of the New York and Brooklyn Federations of Jewish Philanthropies. James J. Walker, former Mayor of New York, will be guest of honor.

David Bernstein and Major Albert Warner are co-chairman of the Amusement Division. More than 250 are expected to attend the luncheon, which is designed as a tribute to Walker's long association with the entertainment world. B. S. Moss is luncheon treasurer.

Bernstein and Warner, in their statement on the luncheon, declared:

"This is a special event to celebrate the career of a very special person. And lest we overlook an endearing side of Jimmy's activities, this luncheon also will pay tribute to his years of effort on behalf of hospitals, child-care institutions and homes for the aged."

Barney Balaban, Nate J. Blumberg, Jack Cohn, Will Hays, David Sarnoff, George J. Schaefer, Joseph M. Schenck, Nicholas M. Schenck and Maurice Silverstone are serving as vice-chairmen of the luncheon committee.

The committee on arrangements includes Phil Baker, Irving Berlin, Eddie Cantor, Eddie Duchin, Benny Goodman, Max Gordon. Hays, William Klein, Abe Lastfogel, Arthur Loew, Sam T. Lyons, Arthur Murray, William Morris, Jr., Charles O'Reilly, Walter Reade. Herman Robbins, Billy Rose, J. Robert Rubin, Marvin Schenck and Lee Shubert.

SEC to Study All RKO Allowances

The Securities & Exchange Commission will study and make recommendations on all applications for final allowances in the RKO reorganization proceedings, it was stated yesterday by Marlin Gale, attorney for the S.E.C., at a hearing before Federal Judge Bondy.

Gale urged Judge Bondy to postpone applications of the Chemical Bank & Trust Co. for a final allowance of $38,125. plus $4,966 expenses, and for its attorneys, Wright, Gordon,

(Continued on page 2)

20 Coast Writers Flying to See '69th'

Twenty Hollywood correspondents will fly here as guests of the 69th Regiment at its reunion dinner at the Waldorf-Astoria next Wednesday featured by a screening of Warners' "The Fighting 69th." The writers will leave the Coast Tuesday morning in a chartered plane, arriving Wednesday morning.

Among the writers who will come

(Continued on page 8)

SEC to Study All RKO Allowances

(Continued from page 1)

Zachry & Parlin for $25,000. The S.E.C. was desirous of studying all applications at one time, he stated.

Judge Bondy intimated that he would follow Gale's suggestion. As assurance to the bank that it would not surrender any of its rights by turning over securities to the new RKO company, the court stated that it would direct the trustee to reserve the amount of the application until further order of the court.

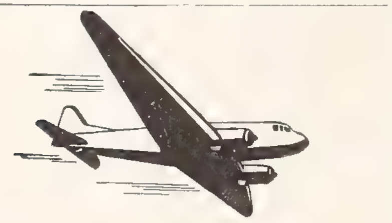
George W. Alger, special master, also applied for an allowance. Alger who has received interim allowances of $34,500 asked for an amount to be fixed by the court. No delay on his application was sought by the S.E.C.

Price, Waterhouse Co. has been allowed $4,800 as compensation for an audit of RKO books for 1938, under an order signed by Judge Bondy.

A hearing will be held today on a proposed order of the Irving Trust Co., trustee, which calls for transfer of all assets to the new company and for the winding up of various phases of proceedings.

20th-Fox Will Ask Lenrose Dismissal

Twentieth Century-Fox Film Corp. filed notice yesterday in the U. S. District Court that it will ask Judge Bondy on Jan. 26 to dismiss the anti-trust suit of Lenrose Amusement Corp. against it, all other majors and M. P. P. D. A. on the ground that no cause of action is stated. Lenrose, as owner of an independent Newark house, claims $150,000 damages for alleged conspiracy to deprive it of product.



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Friday, Wednesday Premieres by Fox

Two premieres and three previews are scheduled in the city in the next eight days. Twentieth Century-Fox opens "The Blue Bird" at the Hollywood tomorrow night and "The Grapes of Wrath" Wednesday at the Rivoli.

The previews include: Tuesday, "The Grapes of Wrath" at the Normandie; Wednesday, Warners' "The Fighting 69th" at the Waldorf Astoria; Friday, Republic's "Village Barn Dance" at the Village Barn in Greenwich Village.

4-A Approves AGVA Appointees to Board

Appointment of eight rank-and-file members to the executive board of the American Guild of Variety Artists was approved yesterday by the Associated Actors and Artistes of America. Kenneth Thomson, executive secretary of Screen Actors Guild, who is here to study A.G.V.A. conditions, endorsed the new appointments.

The eight new members of the board are Philip Irving, David Fox, Charles Arno, Arthur Ward, Jack Guilford, Ernie Mack, Billie Glason and Sam Kramer.

Under the A.G.V.A. constitution, all officers and members of the board must be acceptable to the 4-A. This provision was inserted at the time the branch received its charter because of the large loans granted by Actors Equity, Chorus Equity and S.A.G. The present move was said by union officials to be an effort to extend democratic control of the union.

A.G.V.A. will start to slash overhead costs next week. Cuts in personnel and discontinuance of the union newspaper are planned.

Four UA Salesmen Set Perfect Records

Four United Artists salesmen, having sold every one of their possible accounts for the new season, are now lending a hand to other salesmen in their respective exchanges who have accounts still unclosed, according to word received at the home office yesterday from Jack Goldhar, Midwestern division manager, and Ben Fish, Far Western division manager.

The salesmen with the perfect season's records are Edward Ashkins and Ray Wylie of the St. Louis exchange, in Goldhar's territory, and Joseph Solomon, Salt Lake City, and Al Hoffman, Denver, in Fish's territory.

Skouras on Fund Council

Spyros Skouras, operating head of National Theatres, has accepted an appointment to serve on the Greater New York Fund Business Council, recently organized as a permanent body.

Warner Party Tomorrow

Warners will play host at a cocktail party for Errol Flynn, Miriam Hopkins and William Dieterle tomorrow afternoon from 5 to 7 o'clock in the Janssen Suite of the Waldorf-Astoria.

◂ *Purely Personal* ▸

JAMES MULVEY, Eastern representative for SAMUEL GOLDWYN, will leave for the coast today.

●

PHILIP SASLAU of the Fishman Circuit in New Haven and Fairview, Conn., and MRS. SASLAU left yesterday for Miami. MRS. SASLAU is recuperating from an automobile accident of last Summer.

●

NORMAN ELSON, sales manager of Film Alliance of the U. S., returned yesterday after a week's tour of company interests in the East and Middle West.

●

EVELYN FRIEDL of the Warner Cleveland office and MRS. LEO GREENBERGER, wife of the executive of the Community Circuit, Cleveland, are visiting New York.

●

TERRY TURNER of the RKO exploitation department has returned from a visit to the studio after accompanying CHARLES LAUGHTON through the South.

●

ROBERT A. FOSTER, manager of the Community, Yarmouth, N. S., and DOROTHY DEFREYTAS of Halifax were married at St. Mary's Cathedral, Halifax.

●

WILLIAM ORR, MAX A. COHEN, ED SAUNDERS, OWEN DAVIES and OWEN DAVIES, JR., at Nick's Hunting Room in the Astor for lunch yesterday.

●

SIDNEY KINGSLEY, RUSSELL HOLMAN, JOHN GOLDEN, J. ROBERT RUBIN, RUTH GORDON and BERT WHEELER lunching at Sardi's yesterday.

●

BEN GRIEFER, house manager of the New York Paramount, and ELAINE CONHEIM are to be married Sunday at the Riverside Plaza Hotel.

●

EDWARD G. ROBINSON will arrive from the Coast Saturday to spend about six weeks here.

●

BENN H. ROSENWALD, M-G-M manager in Charlotte, observes a birthday tomorrow.

●

HERMAN G. WEINBERG is handling publicity for GILBERT JOSEPHSON'S World Theatre.

●

ART SCHMIDT of Oscar A. Doob's staff at Loew's has returned from Syracuse.

●

ONA MUNSON arrives here today from the Coast via American Airlines.

●

H. M. RICHEY of RKO is spending today and tomorrow in Washington.

●

NORMA SHEARER leaves for the Coast today after a few days' visit.

Harold Whalen Dead

CHICAGO, Jan. 17.—Harold Whalen, 45, member of the cast of George White's Scandals, died today following an operation for a stomach ailment. He had appeared in films with his wife and dance partner, June Jans, whom he divorced in 1933.

Columbia and Lloyd Sign One-Film Deal

HOLLYWOOD, Jan. 17.—Columbia and Frank Lloyd Productions today signed an agreement under which the producer-director will make "Tree of Liberty" for Columbia release.

Jack Skirball, formerly of Grand National and head of Arcadia Productions, will be associated with Lloyd in his new company, which has not yet been incorporated. The de[illegible]on the film has been in negotiation for several months, since Columbia's decision not to make the picture on its own.

Lloyd has left for Williamsburg, Va., to gather background material for the film, which will be a big-budget picture.

Meanwhile, Lloyd and Skirball are awaiting the signing of a contract by Universal calling for the delivery of six pictures during the next two years. Negotiations have been completed, but the contract has not yet been signed.

Autry Is Due East For 5 Appearances

Gene Autry, Republic Western star, will fly East form Hollywood early next week for a series of personal appearances, two of which are at the invitation of Mrs. Franklin D. Roosevelt.

Autry will appear with Mrs. Roosevelt at the Ft. Myers, Va., Horse Show on Jan. 24 and at the President's Birthday Ball in Washington Jan. 30.

On Jan. 25 Autry will attend the opening of Republic's "South of the Border" at Wilmer & Vincent's Embassy Theatre, Reading, Pa. This will be the first Republic film to play the house. The following day he will be at the world premiere of Republic's "Village Barn Dance" at the Village Barn night club here.

On Sunday, Jan. 28, at 6:30 P. M., Autry will broadcast from Washington on his CBS program which originates in Hollywood. Mrs. Roosevelt will be a guest on the program.

19 Weeks for 'Harvest'

"Harvest," French film chosen as the best foreign picture of 1939 by the New York Film Critics, will have at least a 19-week run at the World Theatre. It is now in its 16th week. "The Baker's Wife" ("La Femme du Boulanger") is tentatively scheduled to start at the World Lincoln's Birthday, Feb. 12, but may be postponed.

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Reading Time of Complete Reviews—6 minutes, 11 seconds

DAILY VARIETY

hoice entertainment, given top sentation, is this wacky treatment murder mystery. Can be offered showmen to any clientele as guar- eed amusement and should turn ha he profit on the invest- ent. … appeal lies in the fresh ndling given the usual murder puz- er situations, in the smart quality the dialog and the pungent char- cters. For writing, direction and laying of comedy, 'Slightly Honor- ble' has been matched by few pic- ures in the past year.

Abundance of credit for the class of the offering must go to Tay Gar- net, who both produced and directed and watched preparation of the story. Piloting is flawless, has a constantly hilarious edge of cynical mockery for the old film cliches, manages the surprise twists capitally and main- tains genuine suspense and actual mystery, despite the constant kidding.

O'Brien shows an interesting and agreeable change of pace from many of his more serious roles. Flippancy and romantic entanglements are be- coming to him. And here he has a pip of a heart affair with one of the most captivating ingenues the screen has seen in moons—Ruth Terry. A little honey, she is making capital of a rich role with a vivacious perform- ance loaded with laughs.

Edward Arnold delivers his capable best in the part of chief of graft and antagonist of O'Brien. Broderick Crawford's role of the deftly con- cealed murderous character under seeming loyalty and horseplay is ex- ceptionally well conceived. Claire Dodd turns in an excellent enactment as the woman who inspires one of the

Every scene is milked for laughs. On other hand the scenes of mystery suspense and lethal fury have a sharp eerie contrast which, in combination, spell excellent screen story telling.

Production is elegantly presented, with special technical praise for Mer- ritt Gerstad's photography and musi- cal score and direction by Alexander Golitzen.

Walter Wanger makes valuable contribution to the United Artist product in this swell piece of popular entertainment

"Matched by few pictures in past year!"
Daily Variety

"Hilariously funny!"
Motion Picture Daily

MOTION PICTURE DAILY

Hollywood Reviews

"Slightly Honorable"

(United Artists-Wanger)

HOLLYWOOD, Jan. 8.—As daffy a comedy as was ever made in Holly- wood, Walter Wanger's "Slightly Honorable," produced and directed by Tay Garnett, becomes more so by virtue of its rather grim under- lying current of violent death. From the flash of its opening title to the final fadeout, it is hilariously funny, despite the finding of a corpse now and then.

Pat O'Brien, fast talking attorney intent on ousting a crooked ring obtaining road contracts from the state, is "framed" for two murders by Edward Arnold, a politician, and his henchmen. The attorney, whose first query upon meeting an attractive girl is "Are you over 18?" manages to divert suspicion from himself time after time while ex- posing the politicians. At the climax he, in a desperate fight, accidental- ly kills the murderer. Ruth Terry, young night club singer who insists upon displaying an amazing naiveness as far as clothes are concerned, supplies the love interest. Broderick Crawford does nicely with his role as associate of the attorney. Alan Dinehart, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglas Dumbrille, Bernard Nedell, John Shee- han, Willie Best are some of the outstanding supporting players.

Ken Englund turned out a most smoothly flowing script from the adaptation, by John Hunter Lay and Robert Tallman, of the novel, "Send Another Coffin," by F. G. Presnell. Popular as the novel is, the film story transcends it.

Garnett gave it a sense of tenseness and levity, in a combination which has seldom been equalled.

Running time, 85 minutes. "A".*

*"A" denotes adult classification.

VANCE KING

"Should click easily!"
Film Daily

THE FILM DAILY

"Slightly Honorable"

with Pat O'Brien, Edward Arnold, Broderick Crawford

UA-Wanger 83 Mins.

(HOLLYWOOD PREVIEW)

HIGHLY ENTERTAINING MURDER MYSTERY MARKED BY FRESH TREATMENT SHOULD CLICK EASILY.

This is a highly entertaining murder mys- tery, which has been given fresh treatment in every department. Tay Garnett has in- jected several clever directorial touches and has maintained suspense. Garnett also gets production credit on the picture, which is presented by Walter Wanger. Ken Eng- lund submitted a splendid screenplay, which contains much bright dialogue and some able satire. The acting is high grade, with Pat O'Brien, Edward Arnold, Broderick Crawford and Ruth Terry heading the cast. Miss Terry is pert, has oodles of sex appeal and should attract much attention by her work. O'Brien is an attorney, who is fighting a political ring, headed by Arnold, a newspaper pub- lisher, who has become very wealthy on graft gained from many sources. When Claire Dodd, Arnold's mistress, with whom O'Brien at one time was deeply in love, is murdered, Arnold and his tool, Alan Dine- hart, the prosecuting attorney, try to rail- road O'Brien for the murder. Suspicion also falls heavily on Arnold and on Bernard Nedell, an underworld leader, who is one of Arnold's henchmen. Claire Dodd's mur- der is closely followed by the slaying of Eve Arden, O'Brien's wise-cracking secre- tary. O'Brien's campaign against Arnold and his gang, in which O'Brien is greatly aided by Douglas Fowley, a reporter, and his paper, results in Arnold's crowd being thrown out of power. However, the new prosecuting attorney presses the murder charge against O'Brien. O'Brien saves himself, when he forces his law partner Crawford to admit he committed both murders to keep secret the fact that he had slain a man in Texas, which he insisted was done in self-defense.

DIRECTION, Clever. PHOTOGRAPHY, Swell.

"As funny a picture as ever made!"
M. P. Herald

MOTION PICTURE HERALD

Slightly Honorable

(United Artists - Wanger)

Coffin Comedy

From the opening title to the final fadeout, Walter Wanger's "Slightly Honorable" is as funny a comedy as ever made in Hollywood, despite the fact that the underlying plot con- cerns several murders and an attempt by crooked politicians to "frame" an innocent person. It is hilarious, and the dialogue improves many of the situations of the popular novel, "Send An- other Coffin," by F. G. Presnell, which forms the basis.

Pat O'Brien, as the young attorney whose first question of any attractive girl he meets is "Are you over 18?"; Edward Arnold, as the politician controlling road-paving graft; Ruth Terry, night club singer who displays indiffer- ence concerning lack of apparel; and Broderick Crawford, as the attorney's associate, are the chief characters.

Ken Englund wrote the swiftly moving, punchily told screenplay which sparkles with dialogue. John Hunter Lay and Robert Tall- man adapted the novel.

Tay Garnett, who produced and directed the film, took advantage of an opportunity to com- bine comedy and suspense in correct proportions.

Supporting the leads are Alan Dinehart, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglass Dumbrille, Bernard Nedell, John Sheehan, Willie Best and others.

"Webb" manages to divert suspicion from himself, while striving to find the killer. After a series of adventures, he uncovers the criminal, killing him in the fight.

Previewed at the Village Theatre, West- wood, Cal., to an audience which "rolled in the aisles."—V. K.

Produced by Walter Wanger Pictures for United Artists release. A Tay Garnett production. Directed by Tay Garnett. Screenplay by Ken Englund. Adaptation by John Hunter Lay and Robert Tall- man. From the novel, "Send Another Coffin," by F. G. Presnell. Musical score composed and directed by Werner Janssen. Song, "Cupid's After Me," by Jules Styne and George R. Browne. Photographed by Merritt Gerstad. Art director, Alexander Golitzen. Associate, Richard Irvine. Editorial supervision, Otho Lovering. Film Editor, Dorothy Spencer. P. C. A. certificate No. 5827. Release date, Dec. 22, 1939. Running time, when seen in Westwood, 85 minutes. Adult audience classification.

When the critics are

UNANIMOUS

. . . you can bet it's

BOX-OFFICE!

WALTER WANGER presents

"SLIGHTLY HONORABLE"

A TAY GARNETT PRODUCTION, WITH

PAT O'BRIEN · EDWARD ARNOLD

BRODERICK CRAWFORD · RUTH TERRY

Directed by Tay Garnett · Novel by F. G. Presnell · Screenplay by Ken lund, John Lay and Robert Tallman · Music by Werner Janssen

RELEASED THRU
UNITED ARTISTS

'Hunchback' Big Grosser In Twin Cities

MINNEAPOLIS, Jan. 17.—Best business was done by the combination of "The Secret of Dr. Kildare" and Tommy Dorsey at the Orpheum where the take was $16,500. "The Hunchback of Notre Dame" drew $10,000 at the State.

In St. Paul "The Hunchback of Notre Dame" was top grosser, getting $6,000 at the Paramount.

Estimated grosses for the week ending Jan. 11:

Minneapolis:

"Charlie Chan in the City of Darkness" (20th-Fox)
"Man from Montreal" (Univ.)
ASTER—(900) (15c-25c) 7 days. Gross: $1,600. (Average, $1,500)

"Another Thin Man" (M-G-M)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

"Rasputin" (French)
ESQUIRE—(290) (25c-40c) 7 days, 3rd week. Gross: $1,100. (Average, $700)

"Night of Nights" (Para.)
GOPHER—(990) (25c) 6 days. Gross: $1,600. (Average for 7 days, $2,500)

"Man from Arizona" (Mono.)
MINNESOTA—(4,300) (20c-40c) 7 days. Bob Zurke on stage. Gross: $6,000. (Average, $6,000)

"Secret of Dr. Kildare" (M-G-M)
ORPHEUM—(2,900) (25c-40c) 7 days. Tommy Dorsey on stage. Gross: $16,500. (Average without stage show, $4,400)

"Hunchback of Notre Dame" (RKO)
STATE—(2,300) (25c-40c) 7 days. Gross: $10,000. (Average, $4,000)

"Our Neighbors, the Carters" (Para.)
"Intermezzo" (U. A.)
WORLD—(400) (25c-55c) "Carters," five days of 4th week. "Intermezzo," two days. Gross: $1,600. (Average, $1,600)

St. Paul:

"Eternally Yours" (U. A.)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $2,700. (Average, $3,200)

"Hunchback of Notre Dame" (RKO)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $6,000. (Average, $4,400)

"Remember" (M-G-M)
RIVIERA—(1,000) (25c-40c) 7 days. Gross: $2,500. (Average, $1,800)

"Beware of Spooks" (Col.)
"Private Detective" (W. B.)
TOWER—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,600)

"Our Neighbors, the Carters" (Para.)
WORLD—(400) (25c-40c-55c) 7 days, 3rd week. Gross: $900. (Average, $1,000)

Omaha Union Elects Jackson as Agent

OMAHA, Jan. 17.—Howard Jackson has been elected business agent for Local 343 of the Operators' Union, succeeding Carl Krumrei. R. L. McIntyre is president for 1940, succeeding Adolph Fells.

Other officers for 1940 are: Baird Loomis, treasurer; Boots Kostlan, first vice-president; Shep Owens, second vice-president; G. E. Jordan, financial secretary; Clyde Cooley, recording secretary.

Building Restriction Is Fought in Frisco

SAN FRANCISCO, Jan. 17.—After wrangling for three hours with theatre operators and representatives, the supervisors referred to committee a proposed ordinance prohibiting small frame building theatres. Opposing the measure was Alfred Graziani of Bridge Theatres, Inc., for the small house operators, with L. S. Hamm, attorney for large theatre interests, favoring the bill.

5 Southern Houses Destroyed by Fire

NEW ORLEANS, Jan. 17.—Numerous fires hit theatres of this territory during the first half of January. During the past week, houses in Arkansas particularly also were hard hit when frigid temperatures brought snow and ice to the interior of the Gulf state.

At Huntsville, Ark., fire destroyed the Dixie, causing a loss of approximately $20,000. A few days earlier the Plaza at Harrison was completely burned with a loss estimated at $20,000. D. E. Fitton, manager of the Commonwealth Theatre Corp., said the Plaza will be rebuilt at once.

At Star City, Ark., fire destroyed the Star with an estimated loss of $15,000. The Allied at Dermott, Ark., was razed with damage fixed at $20,000 by C. H. McCrosky, operator and owner of the building. The Paramount at Andalusia, Ala., was completely destroyed at a loss of $40,000 to $50,000. The theatre was operated by the Martin-Studstill Enterprises, with Marion D. Adams as manager.

Indianapolis Gives 'Everything' $9,000

INDIANAPOLIS, Jan. 17. — Jane Withers in person headlining a stage show and "Everything Happens at Night" brought a high-powered $9,000 to the Circle. The weather was cold.

Estimated takings for the week ending Jan. 12:

"Swanee River" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,600. (Average, $2,500)

"Everything Happens at Night" (20th-Fox)
CIRCLE—(2,800) (25c-40c) 7 days. Stage: Jane Withers and show. Gross: $9,000. (Average, $6,000)

"Hunchback of Notre Dame" (RKO)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $7,500. (Average, $5,000)

"Raffles" (U. A.)
"Music in My Heart" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $7,500. (Average, $7,000)

"City of Chance" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Vaudeville. Gross: $7,000. (Average, $8,000)

'Balalaika' Smash $23,500 in Buffalo

BUFFALO, Jan. 17. — "Balalaika" made $23,500 in its run at the Buffalo. The Twentieth Century jumped into higher brackets with $19,500 for its first week of "The Hunchback of Notre Dame."

Estimated takings for the week ending Jan. 13:

"Balalaika" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Harry James and orchestra and Red Skelton on stage. Ten-day gross: $23,500. (Average, $12,000)

"Invisible Stripes" (W. B.)
"The Cisco Kid and the Lady" (20th-Fox)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $7,700. (Average, $7,500)

"Geronimo" (Para.)
"All Women Have Secrets" (Para.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $6,500. (Average, $6,800)

"The Hunchback of Notre Dame" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $19,500. (Average, $6,800)

"Destry Rides Again" (Univ.)
"Laugh It Off" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Ten-day gross: $14,000. (Average, $6,300)

'Feathers' Picked Best Film in Cuba

HAVANA, Jan. 17.—The best picture of 1939 released in Cuba was "Four Feathers," Alexander Korda-United Artists film, according to the secretary of the Government's Motion Picture Board of Review.

Theatre Tickets Include Bus Fare

Hamilton, O., Jan. 17.—Beginning Feb. 1, tickets for the Paramount, Northio unit, will be sold on all city buses after 6 P. M. at the regular evening admission of 40 cents, in which will be included free bus transportation for the patron to and from the theatre.

'Eternally,' Lewis $23,000, Pittsburgh

PITTSBURGH, Jan. 17.—"Eternally Yours," plus Ted Lewis on the stage, jumped the Stanley to $23,000 despite inclement weather. "Balalaika" hit $13,500 at Loew's Penn.

Estimated takings for the week ending Jan. 12:

"Swanee River" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 7 days, 2nd week. Gross: $6,500. (Average, $7,500)

"The Secret of Dr. Kildare" (M-G-M)
FULTON—(1,700) (25c-40c) 4 days, 3rd week. Gross: $1,700. (Average, $5,000)

"Balalaika" (M-G-M)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average, $13,000)

"Little Accident" (Univ.)
SENATOR—(1,800) (25c-40c) 7 days. On stage: Will Osborne's orchestra, Pearl Robbins, Fenwick & Cook, Conville & Dale, Dick Rogers, Barbara Bush. Gross: $6,000. Average, pictures only, $3,800)

"Eternally Yours" (U. A.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Ted Lewis and orchestra, Charles "Snowball" Whittier, the Radio Aces, Dennis Sisters, the Hackers, Betty Jane Smith. Gross: $23,000. (Average, $17,000)

"Judge Hardy and Son" (M-G-M)
WARNER—(2,000) (25c-40c) 7 days, 2nd week. Gross: $6,800. (Average, $5,000)

'Hardy' at $3,500 In Oklahoma City

OKLAHOMA CITY, Jan. 17.—"Judge Hardy and Son" at the Tower drew a good $3,500, while a five-inch snow and sub-freezing weather hurt grosses generally.

Estimated takings for the week ending Jan. 13:

"Destry Rides Again" (Univ.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $5,200. (Average, $5,200)

"The Dead End Kids on Dress Parade" (W. B.)
"Kid Nightingale" (W. B.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,400. (Average, $2,400)

"Everything Happens at Night" (20th-Fox)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,800. (Average, $4,000)

"Gulliver's Travels" (Para.)
PLAZA—(750) (25c-35c-40c) 8 days, 2nd week. Gross: $1,800. (Average, $1,100)

"Eternally Yours" (U. A.)
STATE—(1,100) (20c-25c-40c) 5 days, 2nd week. Gross: $1,600. (Average, 7 days, $3,000)

"Judge Hardy and Son" (M-G-M)
TOWER—(1,000) (25c-35c-40c) 10 days. Gross: $3,500. (Average, 7 days, $1,750)

Lottery Ban Upheld In Wisconsin Town

ELKHORN, Wis., Jan. 17.—The local ordinance which prohibits gambling, lotteries and games of chance has been upheld by Circuit Judge Alfred L. Drury here.

The ordinance was passed last July to prohibit a local drug store from operating a "multiple dividend" plan which the city contended was a lottery. The drug store demurred to the ordinance, contending that its plan did not constitute a lottery since it involved no consideration. A recent ruling by the circuit court, however, declared the ordinance valid and held the drug store's plan to be a lottery.

Tips on Exploitation

Nurse Beauty Contest Plugs 'Child Is Born'

WILMINGTON, Del., Jan. 17.—A beauty contest for nurses of Wilmington's four major hospitals featured Manager Richard V. Kirsch's promotion for the opening of "A Chi[illegible] Is Born" at the Warner Aldine. K[illegible]ch presented a prize to the winner. The contestants were guests of the theatre at the opening performance.

Warners Issue Pressbook on '69th'

The Warner advertising and publicity department has issued its ample press book on "The Fighting 69th." Large and comprehensive, the book contains numerous stunts, stories, ads and accessories. Twenty-six newspaper ads are included, as well as five pages of publicity material.

Lobby Easel Plugs 'Great Victor Herbert'

MILWAUKEE, Jan. 17.—Fox's Palace plugged "The Great Victor Herbert" with a large lobby easel in the form of an open book captioned, "Pages from a manager's scrap book." Reproduced were pictorial reviews from the film.

Boy Scout Councils Aid 'Geronimo' Run

ALBANY, Jan. 17.—Robert Rosenthal, manager of Warners' Ritz, utilized the Boy Scout councils for "Geronimo," holding meetings of the various troops in the theatre. The scouts also erected life-like figures of Geronimo, headdress and all. Through the scout participation every boy of school age was apprised of the picture.

Smile Stunt Used To Sell 'Ninotchka'

JANESVILLE, Wis., Jan. 17.—Theatre patrons attending Fox's Myers here for the showing of "Ninotchka" were invited to try catching employes who failed to greet them with a smile during the showing of the film. The Myers offered such patrons a free admission to the theatre.

Free Tickets Stunt Is Used on 'Gulliver'

SUPERIOR, Wis., Jan. 17.—Harvey Buchanan, manager of the Palace here, promoted a box in a newspaper advertisement of Roth's, local department store, plugging "Gulliver's Travels," in exchange for 50 free tickets. Twenty-five telephone numbers were scattered throughout the six-column, page length ad and individuals whose phone numbers appeared were invited to come to the store and receive two tickets.

Girl in Wedding Dress Used for 'Four Wives'

PITTSBURGH, Jan. 17.—To stimulate interest in "Four Wives," Joseph Feldman and Charles Kurtzmann fixed a tieup with the Marlane Shop, bridal gown store, whereby a girl in wedding dress stood in the lobby of Loew's Penn and the Warner, handing out formally-printed invitations to "the marriage of the 'Four Daughters.'" The store tiein consisted of an eight-word plug at the bottom of the invitation.

Schine Victor As U.S. Loses Plea for Writ

(Continued from page 1)

suit. Indeed, a greater loss threatens the defendant if more theatres are acquired and the Government prevails."

Judge Knight also allowed 22 demands in an application by the Schine and distributor defendants for a bill of particulars from the Government. Defendants were given 40 days after service of a more definite statement and the bill of particulars in which to answer the Government's complaint.

Judge Knight's opinion further reads:

"It seems that the rights of all the parties involved can be reasonably protected if the motion for a preliminary injunction is denied, upon the condition, however, that it may be renewed upon the showing that the defendants have acquired or are about to acquire additional theatres, or have opened or are about to open any closed theatres under circumstances showing intimidation, threats or coercive tactics directed to any competitor or prospective competitor. This seems 'just in the premises'."

In the New York anti-trust suit, attorneys for defendant companies having theatre affiliates entered into a voluntary agreement with the Government under which advance notice of contemplated theatre acquisitions is to be given to the Department of Justice by the companies.

As a result of the agreement, the Government refrained from asking a preliminary injunction to prevent theatre acquisitions pending trial of the suit.

New Parley Today On Trust Questions

Attorneys for major defendants in the Government's anti-trust suit will continue conferences today with William P. Farnsworth, head of the N. Y. anti-trust division office, with a view to agreeing on interrogatories to be answered by the Government.

Special Assistant Attorney General Paul Williams returned to Washington after a long conference Tuesday with majors' attorneys. Both sides claim that progress on the question of interrogatories has been made. The Government's time to object to the questions of the majors has been extended to Jan. 22.

Film Alliance Sets Two

Film Alliance of the U. S. has set release on two new films, "Face Behind the Door" on Jan. 25 and "Suicide Squad," Feb. 5. Deals have been closed with Fox West Coast for three current releases, "Bombs Over London," "The Challenged" and "Torpedoed," according to Norman Elson, sales manager.

Harry Putnam Dies

St. John, N. B., Jan. 17.—Harry Putnam, 62, in the advertising phase of exhibition for the past eight years, and prior to that in exhibition for many years, died in Halifax after a brief illness. Surviving are a wife, a daughter and a brother.

New York Review

"The Secret Four"

(ABFD-Monogram)

Based on the Edgar Wallace popular novel, "Four Just Men," this thriller melodrama, replete with spies, counter-plots, mystery killings and adventurous English patriots, makes lively entertainment. Michael Balcon, who produced it in England, has provided a well-balanced cast.

The story holds interest throughout and builds to a number of tense situations, although failure to take fuller advantage of climaxes lessens the dramatic effect somewhat. Thus no effort is made to show how one of the "Four Just Men" makes his escape from the House of Commons after impersonating an M. P. there.

The four, Frank Lawton, Griffith Jones, Hugh Sinclair and Francis L. Sullivan, are engaged in uncovering an espionage plot through which a foreign power is obtaining vital information from the wife of a cabinet official. Anna Lee, a newspaper reporter, accidentally stumbles on their trail, but is persuaded not to reveal their identity.

A gigantic plot to sever the British Empire is discovered. When Alan Napier, as the treacherous member of Parliament, refuses to disassociate himself from the conspiracy, he is killed and Mansfield impersonates him in the House in time to warn the nation.

Angus MacPhail, Sergei Nolbandov and Roland Pertwee wrote the screenplay. Walter Forde directed.

Running time, 79 minutes. "G."* EDWARD GREIF

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* *"G" denotes general classification.*

Distribution Chiefs Shifted by Warners

Promotions and shifts in the Warner distribution staff in the field have been completed by Gradwell L. Sears, general sales manager. They become effective Monday.

Sears announced changes as follows: Henry Herbel, Midwest district manager at Chicago, to West Coast district manager at Los Angeles; Rud Lohrenz, Prairie District head at Kansas City, replacing Herbel in Chicago; James Winn, Kansas City branch manager, to Prairie District manager; O. W. Williamson, Jr., Memphis branch head, to Kansas City branch manager; Homer Hisey, San Francisco salesman, succeeding Williamson.

W. E. Callaway, West Coast district manager, becomes Los Angeles branch manager, replacing Jack Brower, resigned.

Information, Please Title Fight in Court

Daniel and Ann Golenpaul, trading as Dan Golenpaul Association, owner of the "Information, Please" radio program, have filed suit in N. Y. Supreme Court for an injunction against Information Publishing Corp., Walter Rosetti, Shelley Braverman, Peter B. Payne, and Stanley S. Boressoff.

Plaintiffs seek to restrain the defendants from publishing a monthly magazine, *Information, Please,* on the ground that it unfairly competes with the radio program.

Bailey on Boston Stand

Boston, Jan. 17.—Today, the 171st day of the masters hearing of the Morse and Rothenberg anti-trust suit against the major film companies, Thomas H. Bailey, district manager for Fox, was recalled to the stand. Frank Ross, RKO salesman, and Ross C. Cropper, RKO branch manager, also testified.

Agreement Near On British Withdrawals

(Continued from page 1)

share of the total business done in Britain during the past two years.

Under Britain's regulations governing the withdrawals, the seven American film companies may withdraw up to 75 per cent of the $17,500,000 maximum during the first six months of the agreement. Thus a total of $13,125,000 may be withdrawn during the period beginning Nov. 1, last, and ending May 1. The balance, or $4,375,000, may be withdrawn from May 1 to Nov. 1, next.

Universal, which distributes through a British company, General Film Distributors, is not participating in the withdrawal agreement.

Ready to Negotiate On Television Wages

(Continued from page 1)

the other two unions to be represented on the negotiating committee.

Negotiations, however, cannot be launched until the A.F.R.A. board first approves them. The board meets today to consider negotiation proposals.

Next Tuesday, Emily Holt, A.F.-R.A. executive secretary, and Kenneth Thomson, S.A.G. executive secretary, will appear before the Equity council, and an effort will be made at that time to make final settlement of the issue.

Publicists Meeting

Screen Publicists and Advertisers Association, newly-formed union, will meet tonight at the Piccadilly Hotel. The union is still in process of organization and no officers have been elected.

Bookings for Roxy

"He Married His Wife" opens tomorrow at the Roxy for one week. Following it on Jan. 26 will be the Warner film, "Brother Rat and a Baby."

'Wind' to Get Return Dates In Two Cities

Return engagements for "Gone With the Wind" are planned by the Loew circuit in some situations where the run is limited in order to permit the playing of released pictures.

Under consideration are return engagements for Loew's Colonial, Reading, and Loew's Regent, Harrisburg, which were the first engagements to close. The runs ended yesterday with reported four-week grosses of $58,300 and $50,700, respectively.

These grosses were said by M-G-M to be almost double the best previous takes for each house, and the picture set an all-time record for length of run in each city.

Twelve more two-a-day reserved seat showings set yesterday brought the total bookings to 127 in 114 cities. These are: Feb. 1, Parkway, Madison, Wis.; Gateway, Kenosha, Wis.; Venetian, Racine, Wis.; Rex, Sheboygan, Wis.; Feb. 2, Granada, Santa Barbara, Cal.; Feb. 8, Bay, Green Bay, Wis.; Appleton, Appleton, Wis.; Oshkosh, Oshkosh, Wis.; Orpheum, Phoenix, Ariz.; Feb. 10, Electric, Springfield, Mo.; Feb. 15, Grand, Topeka, Kan.; Feb. 16, Paramount, Joplin, Mo.

At the Grand Theatre in Atlanta, where the picture had its premiere Dec. 15, capacity business continues, with $24,000 receipts for the past week. Boston again shows more than $80,000 for the two houses, State and Orpheum.

In Los Angeles the same record-breaking pace keeps up, with $23,300 in the box-office for the Carthay Circle, and $32,400 receipts at the United Artists Theatre, an all-time record for a single week for the house.

Grainger Attending Virginia Convention

James R. Grainger, Republic president, today is attending the semi-annual convention of the M. P. T. O. of Virginia at Richmond.

From there he will fly to Boston, where he will preside at a sales meeting of the Boston and New Haven branches tomorrow and Saturday.

Souhami to Syracuse

Following a meeting yesterday of New York City members of Allied Theatre Owners of New York, Edmund Souhami, counsel, left for Syracuse to attend a session of the regional unit there today. A regional meeting will be held Monday in Albany.

Radio Man Injured

Hollywood, Jan. 17.—Joseph Donahue of William Esty & Co., agency producer of "Blondie" and the Burns and Allen radio shows, was slightly injured today when he was struck by an automobile as he left the CBS building.

Glennan to New York

Hollywood, Jan. 17.—T. Keith Glennan, Paramount studio operations manager, will train out for New York Friday for conferences with Eastern executives.

MOTION PICTURE DAILY'S BOOKING CHART

[***Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action***]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 22		Judge Hardy & Son (G-D) *Mickey Rooney*	Gentleman from Arizona (G-O) *Craig Reynolds*	Gulliver's Travels	Days of Jesse James (G-O) Thou Shalt Not Kill (A-D)	Escape to Paradise (G-D) *Bobbie Breen*	Everything Happens at Night (G-C) *Sonja Henie*	Slightly Honorable (A-C) *Terry-O'Brien*	Charlie McCarthy, Detective (G-C) *Edgar Bergen*	Four Wives (A-D) *Lane Sisters*
Dec. 29	My Son Is Guilty *Bruce Cabot*	Balalaika (G-D) *Nelson Eddy* *Ilona Massey*		The Great Victor Herbert (G-M) *Walter Connolly*	Money to Burn (G-C) *Higgins Family*	Hunchback of Notre Dame (A-D) *Laughton*	The Cisco Kid and the Lady (G-D) *Cesar Romero*	Raffles (G-D) *David Niven* *de Havilland*	Destry Rides Again (G-O) *Dietrich-Stewart*	Invisible Stripes (A-D) *Raft-Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett*	The Earl of Chicago (G-D) *Montgomery*	Danger Ahead *James Newill*	Emergency Squad (G-D) *William Henry*		Legion of the Lawless (G-D) *George O'Brien*	Swanee River (G-D) *Ameche-Leeds*		Oh Johnny How You Can Love *Tom Brown*	A Child Is Born (A-D) *Fitzgerald-Lynn*
Jan. 12	Music in My Heart (G-M)	Shop Around the Corner (G-C) *Sullavan-Stewart*	The Secret Four *Frank Lawton* Fatal Hour *Boris Karloff*	Geronimo (G-D) *Preston Foster* *Ellen Drew*	Heroes of the Saddle (G-O) *3 Mesquiteers*	Mexican Spitfire (G-C) *Velez-Erroll*	City of Chance (G-D) *Lynn Bari* *C. Aubrey Smith*	Of Mice and Men (A-D) *Burgess Meredith* *Lon Chaney, Jr.*	The Invisible Man Returns (G-D) *Cedric Hardwicke*	Brother Rat and a Baby (G-C) *Bryan-Lane*
Jan. 19	His Girl Friday (A-C) *Cary Grant*	Congo Maisie *Ann Sothern* *John Carroll*	Hidden Enemy *Warren Hull*	Remember the Night (G-D) *Stanwyck* *MacMurray*	Wolf of New York *Edmund Lowe*	Married and in Love (G-D) *Alan Marshall*	He Married His Wife *McCrea-Kelly*	Lion Has Wings *Oberon-Richardson*	West of Carson City *Johnny Brown*	British Intelligence *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes *Warren William*	Lambeth Walk *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Village Barn Dance *Cromwell*	Saint's Double Trouble *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell *Joan Bennett* *Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier Convicted Women	I Take This Woman *La Marr-Tracy*	Chasing Trouble *Frankie Darro*	Parole Fixer *William Henry*		The Marines Fly High *Dix-Ball*	The Man Who Wouldn't Talk *Lloyd Nolan*		Danger on Wheels *Arlen-Devine*	Calling Philo Vance *Stephenson*
Feb. 9	Five Little Peppers at Home *Edith Fellows*	Broadway Melody of 1940 *Astaire-Powell*	East Side Kids *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night *Lombard-Aherne*	Little Old New York *Faye-MacMurray*		My Little Chicadee *West-Fields*	Castle on The Hudson *Garfield-O'Brien*
Feb. 16		Arise and Beware *Del Rio-Beery*	Murder on the Yukon (G-O) *James Newill*	Sidewalks of London *Laughton-Leigh*		Swiss Family Robinson *Bartholomew*	Young As You Feel *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred *Lowe-Lindsay*	Granny Get Your Gun *May Robson*
Feb. 23		Northwest Passage *Tracy-Young*	Cheyenne Kid (G-O) *Jack Randall*	Knights of the Range *Jean Parker*		Pinocchio (G)	They Came By Night *Will Fyffe*		Framed *Constance Moore* *Johnnie Downs*	Magic Bullet *Robinson*
Mar. 1	Blondie on a Budget *Arthur Lake*	Strange Cargo *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) *Tex Ritter*	Seventeen *Field-Cooper*		Little Orvie *Ernest Truex*	Earthbound *Baxter-Leeds*		It's a Date *Durbin-Francis*	
Mar. 8			Crime of Dr. Orloff *Bela Lugosi*	Adventure in Diamonds *Brent-Miranda*		Isle of Destiny *Gargan-Ford*	Chan in Panama *Sydney Toler*			

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

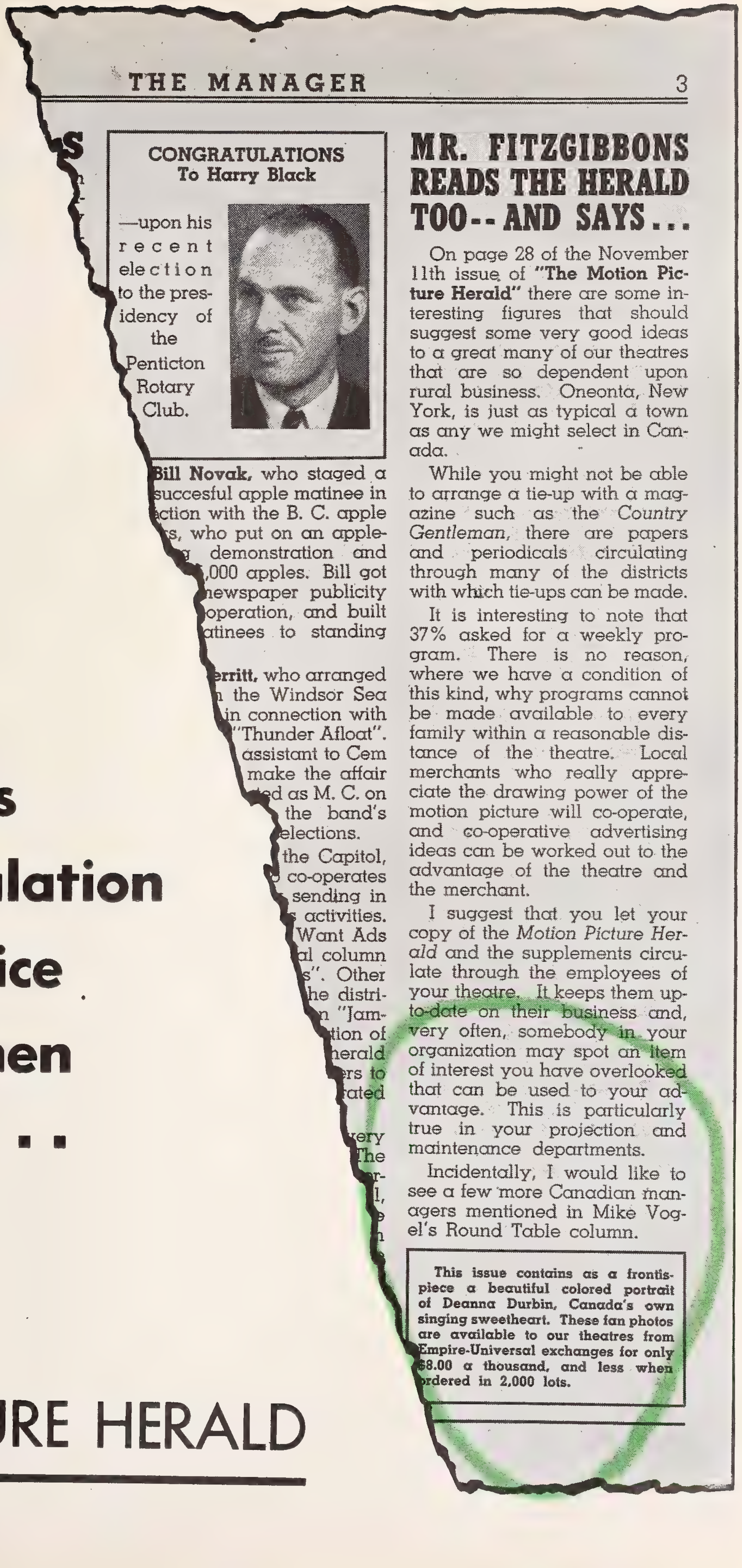
JANUARY 19
Paragraphic
SUGAR WIND

JANUARY 19
Popeye the Sailor
SHAKESPEARIAN
SPINACH

JANUARY 19
Cinecolor
UNUSUAL
OCCUPATIONS #3

JANUARY 26
Grantland Rice Sportlight
BOWLING SKILL

100% BOX OFFICE tested



THE MANAGER 3

S

CONGRATULATIONS
To Harry Black

—upon his recent election to the presidency of the Penticton Rotary Club.

Bill Novak, who staged a
succesful apple matinee in
ction with the B. C. apple
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demonstration and
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newspaper publicity
operation, and built
atinees to standing

erritt, who arranged
the Windsor Sea
in connection with
"Thunder Afloat".
assistant to Cem
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MR. FITZGIBBONS READS THE HERALD TOO -- AND SAYS . . .

On page 28 of the November 11th issue of **"The Motion Picture Herald"** there are some interesting figures that should suggest some very good ideas to a great many of our theatres that are so dependent upon rural business. Oneonta, New York, is just as typical a town as any we might select in Canada.

While you might not be able to arrange a tie-up with a magazine such as the *Country Gentleman,* there are papers and periodicals circulating through many of the districts with which tie-ups can be made.

It is interesting to note that 37% asked for a weekly program. There is no reason, where we have a condition of this kind, why programs cannot be made available to every family within a reasonable distance of the theatre. Local merchants who really appreciate the drawing power of the motion picture will co-operate, and co-operative advertising ideas can be worked out to the advantage of the theatre and the merchant.

I suggest that you let your copy of the *Motion Picture Herald* and the supplements circulate through the employees of your theatre. It keeps them up-to-date on their business and, very often, somebody in your organization may spot an item of interest you have overlooked that can be used to your advantage. This is particularly true in your projection and maintenance departments.

Incidentally, I would like to see a few more Canadian managers mentioned in Mike Vogel's Round Table column.

This issue contains as a frontispiece a beautiful colored portrait of Deanna Durbin, Canada's own singing sweetheart. These fan photos are available to our theatres from Empire-Universal exchanges for only $8.00 a thousand, and less when rdered in 2,000 lots.

FIRST in news
FIRST in circulation
FIRST in service
to the showmen
of the world . . .

QP

MOTION PICTURE HERALD

Beware Rules Making Television Sets Obsolete, Broadcasters Tell F.C.C. Hearing; Cite Dangers

WASHINGTON, D. C., Jan. 17.—Current uncertainty over television standards is imperiling the television broadcaster, Paul W. Kester, vice-president of Columbia Broadcasting System, told the Federal Communications Commission today.

The first witness to present the views of broadcasters, as contrasted with those of technicians and manufacturers, in three days of hearings before the F.C.C., Kester said his group is apprehensive that a change in standards would produce a "complete obsoleteness" of sets in the hands of the public and would arouse a resentment which would be directed, not at the manufacturers, but at the broadcasters.

The CBS officer said that when his company begins picture broadcasting in New York, the mere fact that two stations are providing programs will be an important factor in creating a market for receivers, and estimated that 10,000 to 15,000 sets would be sold in the first year and from 30,000 to 40,000 within two years.

Any change in standards which will render those sets obsolete or necessitate expensive conversions, he declared, would threaten a public investment of millions of dollars. The resulting resentment would be directed at broadcasters, and where stations were engaged in both regular and television transmission, the effect might be very serious, Kester said.

Taking the position that recommendations of the F.C.C. television committee offered an inconsistency because broadcasters are urged not to take steps that will create an immediate heavy demand for sets while at the same time initiation of regular program service is encouraged, Kester suggested three possible means of dealing with the situation.

His suggestions were (1) That the Commission fix present standards for a specified period of years and allow broadcasters to proceed with their program efforts, (2) Delay both the "freezing" of standards and the launching of new programs until standards can be developed which will not render sets obsolete, or (3) Proceed immediately with scheduled programs and with trying to fix new standards, until standards can be guaranteed for a definite period of years.

Hearings were recessed until Friday, when the commission will attempt to bring them to a close.

Allied Fights To Stop Foes Of Neely Bill

(*Continued from page* 1)

time, it would be folly to underestimate the effect of these methods on uninformed and undiscriminating persons."

The legal rights of exhibitors and the measures which they might take to protect themselves against a general strike precipitated by a purely local labor controversy at some distant point were discussed by the board during its consideration of the recent trend of industry labor to concentrate in one big union reaching from the studio to the theatre.

With predictions of production curtailments and the "extraordinary" terms asked for "Wind," "Lincoln in Illinois," "Pinocchio" and "Gulliver," the board agreed that the outlook for product is none too satisfactory and that there is definite necessity for watching allocation averages in the event that predicted curtailments are made effective. At the same time, the terms for the four big pictures were criticized as "excessive."

The board also attacked broadcasting by film stars and "Pot o' Gold" programs, and discussed the competition of 16 mm. films and the parking problem.

The meetings will close tomorrow with the choice of the annual convention city, election of officers and adoption of formal resolutions on the subjects discussed.

Honor LeBaron Today

HOLLYWOOD, Jan. 17.—More than 300 Hollywood personalities will gather tomorrow night to honor William Le Baron at a dinner to be tendered by the Masquers Club. William Collier, Sr., will be toastmaster.

Ed Grainger Signed

HOLLYWOOD, Jan. 17.—Warners today gave Edmund Grainger a term contract as associate producer under Hal B. Wallis.

Bioff's Extradition Pleas to Governor

Sacramento, Calif., Jan. 17.—Governor Olson today heard pleas for the extradition of William Bioff, I.A.T.S.E. leader, to Illinois to serve a six-months sentence imposed 17 years ago at Chicago. Bioff's attorneys asked that the extradition case be delayed pending settlement of the U. S. income tax evasion case against him. Governor Olson did not indicate when he would make his decision.

20 Coast Writers Flying to See "69th"

(*Continued from page* 1)

from California are Fred Othman, United Press; Hub Keavy, Associated Press; Harold Heffernan, North American Newspaper Alliance; Sidney Skolsky, Hollywood columnist for the New York *Post;* James Starr, of the Los Angeles *Herald-Express;* Harry Friedman, International News; Paul Harrison, NEA; William Wilkerson, *Hollywood Reporter;* Arthur Unger, *Variety;* Harry Mines, Los Angeles *Daily News;* Ed Sullivan, Hollywood columnist for the New York *Daily News;* Harry Crocker, King Features Syndicate; Ralph Jordan, International News; Sheila Graham, North American Newspaper Alliance; E. V. Durling, Hearst Syndicate, and Dick Pollard, *Life Magazine.*

Highlights of the dinner will be carried on a nationwide NBC Blue network, originating at WJZ here, from 9 to 9:30 P. M. Participating in the broadcast will be Gov. Herbert H. Lehman of New York, James Cagney and Pat O'Brien, two of the film's stars; Major General Hugh A. Drum, Col. William J. Donovan, Jack L. Warner and Col. John J. Mangan.

Mrs. Williams Rites

OMAHA, Jan. 17.—Funeral services were held here today for Mrs. Charles Williams, wife of the veteran local exhibitor and M. P. T. O. A. national board member, who died here yesterday following a brief illness.

Wanger Gets Capra's Post At Academy

(*Continued from page* 1)

technician and producer members function as individuals, irrespective of their economic or studio affiliations, and it should and will attempt to present to the world their ideas and ideals with frankness and authority."

The Academy board issued the following tribute to Capra:

"The Academy, through its board of governors, wishes to express its appreciation and profound regard for Frank Capra. During the past four years, the Academy has gone through the most trying period of its history, and largely because of the untiring and unselfish efforts of Mr. Capra it has been able to survive. He has always had a deep conviction of the value and the need for a cultural body such as the Academy, and has worked ceaselessly to keep its aims ever in the minds of those whose interests lie in the welfare of Hollywood.

"That the Academy has emerged from its troubled waters, that it has inspired renewed and enthusiastic interest on the part of many who heretofore were apathetic, that it is now, as it always should have been, definitely divorced from all economic matters and devoted exclusively to cultural development of motion pictures is a credit to the brilliant leadership of Frank Capra."

Radio Musicians' Strike Is Averted

Though the controversy between CBS and NBC networks and the American Federation of Musicians is fraught with strike possibilities, there will be no strike for the present, officials said yesterday.

Both networks have refused to renew their musicians' contract, signed December, 1937. Many stations, however, have agreed to maintain the existing employment level. Every local musicians' union will negotiate its own contract.

Radio Brevities

FOR the first time since the war, British radio is providing alternative programs. After six each evening, light entertainment, intended mainly for the Services in France and at home, is being broadcast on 342 meters, while the usual B.B.C. news, talks, plays, symphony concert[illegible]nd vaudeville continue on the present wavelengths, 391 and 449 meters.

The new programs will feature light music, dance bands, vaudeville and sports, with more extensive programs scheduled for March. Newcasts, talks, organ recitals and recorded programs originate from Broadcasting House, London, drama and features originate from Manchester, and variety shows and symphony concerts come from Bristol.

Kyser Guest of First Lady

Kay Kyser will lead his band at the President's Birthday Ball in the Mayflower Hotel, Washington, on Jan. 30. Mrs. Roosevelt has invited Kyser to join her personal party and visit all the Birthday Balls held in Washington on that evening. Earlier in the day he will be a guest at a White House luncheon.

Personalities in the News

Benay Venuta will become the featured vocalist on George Jessel's "Celebrity Program" on Thursday, Jan. 25. She will replace the Merry Macs. . . . Jack Johnstone, director of "Johnny Presents," is preparing a new series of 13 half-hour transcriptions of "Buck Rogers" programs. . . . George Dunham, sales promotion manager of WEEI, is in town for one week.

Home Television

"The possibility for a home television set, employing the projection principle, and reasonably priced, is not very promising for this year but may be ready in a year hence," says I. J. Carr, in charge of receivers for General Electric. Carr reports that G. E. has been experimenting with a screen 18 inches by 24 inches, but has thus far found the light inadequate, and the optical system and power supply very expensive.

Recorded Serial With Music

A daytime recorded serial with music instead of script dramas has been set with 15 stations by McCann-Erikson for the National Biscuit Co. Martin Block, who uses recorded music on his "Make Believe Ballroom," has made 16-inch disks with his comments. An attached cue sheet tells station operatives when to start the music records which accompany Block's comments. The half-hour programs will be aired six times weekly for 13 weeks starting Feb. 12.

New Mystery Program

Daniel C. Studin, vice-president and treasurer of Star Radio Programs, discloses that he has a new mystery program in preparation, "The Adventures of Dexter Randolph." The series was written by Burke Boyce, formerly of NBC's continuity department, and author of "K-7 Spy" series. The program was tested on CFRB, Toronto, where it drew a favorable reaction.

DO NOT REMOVE

Alert,
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Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible]. 47. NO. 14 NEW YORK, U. S. A., FRIDAY, JANUARY 19, 1940 TEN CENTS

Allied to Beg Quick Action On Neely Bill

Fights Film Stars on Air; Re-elects Colonel Cole

WASHINGTON, Jan. 18.—Reaffirming its support of the Neely bill, the Allied States' board today adopted a resolution to petition the House Interstate Commerce Committee "to report out the bill promptly so that it may be passed at the current session."

The resolution was one of five adopted as the board prepared to adjourn its meetings after having re-elected Col. H. A. Cole as president of the Association for another year and deciding to hold its next annual convention in Detroit.

In addition to re-electing Cole, the Board awarded new terms of office to Abram F. Myers, general counsel, and Charles H. Olive of Washington, secretary, and elected Herman A. Blum of Baltimore, former treasurer, as financial secretary, and Martin G. Smith of Toledo as treasurer. The executive committee will consist of Cole, W. A. Steffes, Sidney E. Samuelson, Martin G. Smith, Jack Kirsch and M. A. Rosenberg.

Details of the annual convention are to be worked out by a committee to be named by Ray Branch, appointed chairman of the committee on arrangements. The meeting date will be set later, probably to be late May or early June.

In taking formal action on the prob-

(*Continued on page* 8)

Los Angeles Seeks Law on Bad Shows

LOS ANGELES, Jan. 18.—By a vote of 10 to 4, the City Council today ordered preparation of an ordinance vesting the Police Commission with authority to close film and legitimate theatres in which "immoral and indecent performances" are given.

After considerable argument from opponents of the proposal, the city attorney was authorized to submit the draft of the bill for councilmanic action. Opposition to the plan was led by Councilman Earl C. Gay, who said:

"This bill is a direct slap at the motion picture industry and if we who govern the city which is the home of such an industry pass such an ordinance, we will find it moving away. New York and San Francisco would welcome such an industry move."

Bondy Orders End Of Court's Control Over RKO Affairs

Termination of court control of the operations of RKO and transfer of all assets from the Irving Trust Co., trustee of RKO, to the reorganized company was ordered yesterday at a hearing before Federal Judge William Bondy.

Filing of the order will take place tomorrow, it was stated, and will become effective five business days thereafter. Attorneys for the new company will meet with officials of the Irving Trust on Friday, Jan. 26, to transfer the securities and other documents of the company.

A last-minute amendment was added to the order which authorizes the trustee to withhold $64,625 in addition to $20,000 provided in the original order. This sum will be available to the Chemical Bank & Trust Co. and its attorneys for allowances to be given them.

Hamilton C. Rickaby, attorney for Atlas Corp., stated that no other important step remained except the granting of final allowances. In response, Judge Bondy requested attorneys to make their applications "modest" in amount.

Marlin Gale, attorney for the S.E.C., obtained a direction from the court that copies of applications for allowances be served upon the S.E.C. to permit it to study and report on them.

Col. Cooper Named Canada's Film Chief

Toronto, Jan. 18. — Close linking of films, radio and the press for Canada's war effort is provided in the appointment of Col. John A. Cooper, president of the Motion Picture Distributors Association, to succeed John Grierson as National Film Commissioner, and of Leonard Brockington, former chairman of the Canadian Broadcasting Corporation, as advisor to the National Film Board in addition to his duties as the Dominion's official war reporter.

'Blue Bird' Tonight Draws Celebrities

World premiere of "The Blue Bird," 20th Century-Fox film, will be held at 8:30 o'clock tonight at the Hollywood Theatre on Broadway, with many leaders of the film industry and the city's commercial and civic life attending.

Regular public performances will start tomorrow afternoon on a reserved seat two-a-day basis, with prices scaled 55 cents to $1.65.

Among those attending the premiere will be Darryl F. Zanuck, 20th Century-Fox production chief, who produced the picture, and Joseph M. Schenck, chairman of the board, who

(*Continued on page* 8)

"Abe Lincoln in Illinois"

[RKO]

"Abe Lincoln in Illinois," winner of the Pulitzer Prize in its original form as a play by Robert E. Sherwood, becomes, in its transplantation to the more sweeping medium of the screen, a triumphant achievement of the motion picture.

In his memorable portrayal of Abe Lincoln as a young man and until his departure for the White House, Raymond Massey achieves a masterpiece of character delineation. In the cinematic effort he has, if that is possible, accomplished an even more striking, more dramatically impressive characterization than he did on the stage. His Lincoln in this picture must be reckoned as a great example of screen artistry.

It is, of course, Massey's film, in that it is a screen biography. At the same time, in the picturization of Lincoln's life in Illinois, the sentiments expressed, the backgrounds and incidental phases of the story, it is a great American motion picture. Every showman, whether he be in the cinema palace of Broadway or the shooting gallery of Pumpkin Corner, can stand behind this film with all his reputation.

The story of Lincoln, the great man of tragedy, the great humanitarian, is as much a part of the United States as the land of which the country

(*Continued on page* 3)

Major Chiefs To Fight U.S. On Trust Quiz

Interrogatories Meeting Ends; Agreement Seen

Attorneys for several major company defendants in the Government's anti-trust suit will oppose the move of the U. S. Attorney General's office to examine ranking officers of the defendant companies before trial.

First of the motions to vacate the Government's notice of intention to examine the officials will be filed in Federal District court here early next week.

The Government's notice of intention was served on defense attorneys last Monday. It disclosed that between Feb. 5 and March 25 the Government plans to examine the president, general sales manager, ranking production executive, ranking theatre executive and other high officers of seven of the major company defendants.

United Artists officials were examined by the Government last Summer and will not be questioned further.

William P. Farnsworth, head of the New York office of the anti-trust division, and attorneys for major defendants will report to their superiors on

(*Continued on page* 2)

Warners Pays Off Loans Before Due

Warner Bros. paid off $2,000,000 in bank loans in the last three months of 1939, reducing such loans made during the year to $4,000,000, but increasing the amount to $9,000,000 by an additional financing of $5,000,000 last December.

The financing was explained as part of the company's refunding operations, and the new money has also considerably improved Warners' cash position.

The $5,000,000 borrowing was made

(*Continued on page* 2)

Delegation of 69th To Greet Film Stars

A delegation from the 69th Regiment will greet James Cagney and Pat O'Brien, stars of the Warner film, "The Fighting 69th," at Grand Central Station Monday morning, when they arrive from the Coast with Jack L. Warner. They will be guests

(*Continued on page* 8)

◂ Purely Personal ▸

NATE J. BLUMBERG, Universal president; W. A. SCULLY, general sales manager, and J. H. SEIDELMAN, foreign manager, are expected back on Monday from product conferences at the studio. J. CHEEVER COWDIN, board chairman, is expected by plane on Sunday.

●

EDWARD G. ROBINSON and his family arrive from the Coast Sunday on the Twentieth Century. ROBINSON will remain in the East until the premiere of his latest picture early in March.

●

STANTON GRIFFIS, AUSTIN KEOUGH, SIDNEY PHILLIPS, JOHN D. HERTZ, JR., MORT SPRING, WALTER HUSTON, JESSE LASKY and JOHN GOLDEN lunching at Sardi's yesterday.

●

CHARLES E. McCARTHY, GEORGE WELTNER, SAM LYONS, ED SAUNDERS and TED O'SHEA among those at Nick's Hunting Room in the Astor for lunch yesterday.

●

HOWARD LESIEUR, United Artists production manager, is the father of an eight-pound girl, born Wednesday to MRS. LILYAN LESIEUR. This is their second child.

●

EDWARD SMALL will arrive in New York from the Coast today and will proceed immediately to Savannah, Ga., to visit his mother who is ill.

●

DON DELLAROCCO of the Strand, Bridgeport, Conn., is the father of a daughter, born this week to MRS. DELLAROCCO at a local hospital.

●

SI SEADLER, M-G-M advertising manager, left yesterday for a vacation in Sarasota, Fla., foregoing his usual Winter trek to the West.

●

JOHN MAYER is the new president of the M-G-M Club in Pittsburgh. SIDNEY STOCKTON has been elected head of the Albany Club.

●

JOE BONOMO, former Universal serial star, heads a newly-formed publishing company in the physical culture and health field.

●

HILDA LESSER RICKLES, secretary to Division Manager E. M. SAUNDERS at M-G-M, is vacationing in the South.

●

GEORGE J. SCHAEFER and NED E. DEPINET will leave today for product conferences at the RKO studio.

●

LON CHANEY, JR., left for the Coast last night. It was the actor's first visit to New York.

Metro Gets Olivier

HOLLYWOOD, Jan. 18.—Laurence Olivier was signed today to co-star with Greer Garson in Metro's "Pride and Prejudice," originally intended as a Norma Shearer vehicle. Hunt Stromberg will produce.

New Beery Film Title

"The Man from Dakota" supplants "Arouse and Beware" as the final title for Wallace Beery's new Metro film.

Hear Siren in Film, Race for Shelters

London, Jan. 5 (*By Mail*).—A siren recorded in a Hollywood film sent the audience scampering to air raid shelters in Aberdeen last week. Attendants at the door heard the siren and thought it was a raid warning. A report was made to the management and the audience told they might stay on or leave as they thought fit.

80 Schine Houses Will Show 'Wind'

GLOVERSVILLE, N. Y., Jan. 18.—More than 80 Schine Circuit first run houses in five states will give a minimum of one week's playing time to "Gone With the Wind," district and zone managers of the circuit were told at their meeting here today.

The picture will play two weeks at Lexington, Ky., which, with the local opening, comprise its first two engagements in the Schine theatres.

The circuit managers' meeting was called principally to discuss special policies required for the "Wind" bookings. Louis W. Schine presided at the general meeting which was followed by district meetings.

Music Hall Draws $84,000 with 'Girl'

The first week of "His Girl Friday," with a stage show at the Music Hall grossed an estimated $84,000 and is held over. At the Strand, "Invisible Stripes," with Shep Fields band and the Dead End Kids on the stage, drew an estimated $45,000 and is also held.

"Raffles" at the Roxy with a stage show grossed an estimated $37,500. In its fourth week at the Rivoli, which ends tonight, "The Light That Failed" should draw an estimated $19,000. It holds until Wednesday, when "Grapes of Wrath" has its premiere.

Hope Williams Hurt In Blackout Accident

LONDON, Jan. 18.—Hope Williams Burnup, London manager of Quigley Publications, is confined to her apartment in London, a blackout casualty.

On her way to Fleet Street a car in which she was riding ran into another car.

She was knocked unconscious and taken to Bart's Hospital where six stitches were taken in her head. Later she was removed to her apartment in Regents Park.

Heads Club Committee

KANSAS CITY, Jan. 18.—Jerry Zigmond, manager of the Newman, has been appointed general chairman for the annual inaugural banquet of the local Variety Club, to be held early in February. Other members of the committee are Don Woods, James McConnel, Douglas Desch and Barney Joffee.

Harry Hadfield Dies

CHICAGO, Jan. 18.—Harry Hadfield, veteran Balaban & Katz theatre manager, died here today. Hadfield had been ill for sometime.

Studio Union Files N. L. R. B. Complaint

LOS ANGELES, Jan. 18.—One of the unions for which William Bioff, as chairman of the conference of A. F. of L. studio unions, negotiated a 10 per cent wage increase Nov. 25, has filed charges of unfair labor practice against the producers at the National Labor Relations Board office here.

The complainant, the Building Service Employes International Union, charged producers failed to grant an increase although nine other unions for which Bioff negotiated obtained their raises. Named as respondents were the Association of Motion Picture Producers, Joseph M. Schenck, M. B. Silverberg, Walter Wanger, E. J. Mannix and Y. Frank Freeman.

Ryder Re-Elected To S.M.P.E. Post

HOLLYWOOD, Jan. 18. — Loren L. Ryder, head of Paramount's sound department, today was announced as having been re-elected chairman of the Pacific Coast section of the Society of Motion Picture Engineers. Alan Gundelfinger continues as secretary-treasurer. Jack Durst, Peter Mole, K. F. Morgan, Hollis Myse, H. W. Remershied and Wesley Miller were named section managers.

Neely Stand Delayed By Screen Directors

HOLLYWOOD, Jan. 18.—The Screen Directors Guild's plans for a standard form of contract covering free lance directors were underway today following last night's meeting at which suggestions for clauses governing conditions of employment were offered by members. The Guild delayed action on the Neely bill until the return of Mrs. Mabel Walker Willebrandt, S.D.G. counsel, from Washington.

Warners Pays Off Loans Before Due

(*Continued from page 1*)

last Dec. 15 at 4½ per cent interest from the Connecticut Mutual Life Insurance Co. of Hartford. As collateral the company pledged the Fairbanks and Sunset studios on the Coast, a California ranch, 15 theatres, two commercial properties and an inter-company note of $200,000.

Although first payments on earlier loans made for debenture refunding were not due until April of this year, Warners paid off $500,000 last October and $1,500,000 in December. Payments are next due in October.

Major Chiefs Fight Trust Quiz by U. S.

(*Continued from page 1*)

the results of a two-day conference on interrogatories, it was learned yesterday.

The conference, which ended yesterday, gave indications of an ultimate agreement between the parties. Final word or any suggested modifications will be exchanged within the next few days, reliable sources said.

A stipulation, filed yesterday, provides for an adjournment of a hearing on objections of Columbia, scheduled for today, until Feb. 9.

Newsreel Parade

Newsreels again focus attention on the wars in Europe. Activities on both the Mannerheim and Maginot Lines are filmed. Also shown is the return visit of Pope Pius to King Victor Emanuel. Reels and their contents follow:

MOVIETONEWS, No. 38—Finns resist Russian aggression, counter attack. Sweden's King directs preparedness. Mobilization in Belgium. Holland troops reinforce frontier. French artillery fire on Maginot Line. Troops in French Alps. French women replace men in industry. Tank barriers protect Allied troops. Priest celebrates mass underground for troops. Allied generals hold war council. Italian monarchs and Pope Pius exchange visits. Crisis in Rumania. Duchess of Windsor is Red Cross worker in France. Lew Lehr. Skiing.

NEWS OF THE DAY, No. 256—War in Finland. Guns roar on Western Front. Mass held for troops. Chamberlain on Front. Duchess of Windsor aids Red Cross. Pope returns visit to Italian King. Quadruplets born in Alabama. Green Bay Packers vs. All-Stars football game.

PARAMOUNT NEWS, No. 41—Soldiers ski at Fort Brady. Frank Gannett seeks presidential nomination. Twenty-one trek to Bahama "Utopia." Quadruplets born in Alabama. Chamberlain inspects British Expeditionary Forces in France. Duchess of Windsor in Red Cross duty. Protect store windows in France. British troops home on leave. Finnish stores are in operation despite war. Pope Pius visits Italian Royal Palace. Venzke wins mile race. Bob sledding at Lake Placid. Rangers vs. Maple Leafs hockey game.

RKO PATHE NEWS, No. 53—Finns thwart Russian advances, prisoners taken. Pope returns visit of Italian King. Earl Browder on trial on passport fraud charge. Skiing in Holland. French christen new guns. Family leaves civilization for remote island.

UNIVERSAL NEWSREEL, No. 842—Finns seize ammunition from invaders. British submarine returns after sea victory. Canadian troops arrive in England, reviewed by Hore-Belisha. Duchess of Windsor aids troops. Artillery fire on Maginot Line. Women work in French airplane factories. Pope Pius and King Victor Emanuel exchange visits. Quadruplets born in Alabama cabin. Sun tanning at Miami hotel. Wrestling on tomatoes. Green Bay Packers vs. All-Stars football game.

Monogram in Tieup On 'Uncle Don' Show

Monogram is cooperating with "Uncle Don" on the latter's annual child talent quest over the Mutual network. The grand prize will be a role in a forthcoming Monogram production. The contest runs from January to June and Monogram players and films will be mentioned on the program.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Virginia M.P.T.O. Opposes Neely Bill

RICHMOND, Va., Jan. 18.—Harry Brandt, president of the New York I.T.O., addressed the M.P.T.O. of Virginia, in annual convention here today, on opposition to the Neely bill and the appearance of stars on the radio.

President William F. Crockett of the Virginia organization appointed M[illegible]on G. Thalheimer and William S. Wilder to the committee being organized to fight the radio appearances. Members were urged to wire their Congressmen and urge them to oppose the Neely bill.

New members of the board of directors are Daniel Weinberg, Jeff Hofheimer, John Caldwell, Denver Aleshire and H. M. Moody. James R. Grainger, president of Republic, spoke briefly, and the convention concluded with a banquet tonight.

Roach Buys 'Turnabout'

Hal Roach has purchased the screen rights to the famous Thorne Smith novel, "Turnabout." Production is set to begin on Feb. 12. To date, John Hubbard and Victor Mature, both of whom scored in "The Housekeeper's Daughter," have been signed.

Scientific Awards Due

HOLLYWOOD, Jan. 18.—Nominations for the Academy award for scientific or technical achievement will close on Monday. The Research Council will meet then to consider all submitted nominations.

"Abe Lincoln in Illinois"

[RKO]

(*Continued from page 1*)

is composed. The film is permeated with that earthy feeling of the common man, Lincoln, whose life was a fight with himself, with his ideals and with that perpetually goading drive which, personified by Mary Todd Lincoln, forced him to go forward against the natural indolence which always beset him. That natural indolence, more properly, was basically an all-pervading love of peace.

Pages might well be written on Massey's portrayal, as in a hundred instances, he brings to pulsating life the Lincoln that the nation has known in song and story, the growth in Illinois, the tragic romance with Ann Rutledge, the state legislature and so on. It must suffice to say that Massey has made a living Lincoln as it has never been done before.

Max Gordon and Harry Goetz produced and John Cromwell directed from the screenplay by Sherwood and the adaptation of Grover Jones. Gene Lockhart plays Stephen Douglas; Ruth Gordon, brilliant stage actress, Mary Todd Lincoln; Mary Howard, Ann Rutledge; Alan Baxter, Billy Herndon, and Harvey Stephens, Minor Watson, Aldrich Bowker are in lesser roles. All of these individuals contribute in small or large measure to the achievement which is the finished product.

Standing out sharply are several memorable sequences: The humorous upsetting of the boatload of pigs as Lincoln first comes to New Salem, Ill.; the fight with the local bully; the break with Mary Todd and the capture of John Brown at Harper's Ferry.

The rebuttal in the Lincoln-Douglas debate at Springfield, which, with its ringing avowal of the American principle of freedom and liberty, will strike to the heart of every American, is the apex of the film. The moving farewell speech to his friends as the train is about to depart for Washington, and with which the films ends, is a gripping forecast of dark days and tragedy ahead.

Running time, 110 minutes. "G."*

CHARLES S. AARONSON

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*"G" *denotes general classification.*

Stars Will Attend 'Lincoln' Opening

WASHINGTON, Jan. 18.—Raymond Massey, star, John Cromwell, director, and Mary Howard, one of the players, will be among the Hollywood guests at the world premiere of RKO's "Abe Lincoln in Illinois" at the RKO Keith here on Monday.

Cromwell, Ruth Gordon, one of the leading players, and Harry Goetz, co-producer with Max Gordon, will arrive here Friday, and Massey and Miss Howard on Sunday. The premiere is being sponsored by the Newspaper Women's Club of Washington as a charity benefit.

Pre-release engagements of the film include: Paramount, Palm Beach, Jan. 25; Capitol, St. Petersburg, Fla., Jan. 30; Florida, Jacksonville, and Tampa Theatre, Tampa, Fla., Feb. 1, and Daytona, Feb. 8. In all cases, matinees will be continuous, at 75 cents admission, and evening performances on a reserved seat basis at $1.10.

Endicott Protests Labor Board Ruling

Endicott Circuit filed objections yesterday with the State Labor Relations Board against the board's ruling that the entire circuit was to be grouped as a single collective bargaining agency, instead of by individual houses. The motion picture division of the Theatrical Managers, Agents and Treasurers Union was defeated in the election but has challenged the votes.

"THE MAGIC BULLET"
It turns to Gold!
Warner Showmanship does it!

'Destry' Hits Big $13,500, Frisco Lead

SAN FRANCISCO, Jan. 18.—"Destry Rides Again" and "The Amazing Mr. Williams" scored a strong $13,500 at the Orpheum in the second week. "The Hunchback of Notre Dame," in the second week at the Golden Gate, drew $17,500.

Estimated takings for the week ending Jan. 9-12:

"Hunchback of Notre Dame" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: Vaudeville. Gross: $17,500. (Average $15,000)

"Destry Rides Again" (Univ.)
"The Amazing Mr. Williams" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 2nd week. Gross: $13,500. (Average, $8,000)

"Four Wives" (W. B.)
"Emergency Squad" (Para.)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $16,000)

"The Great Victor Herbert" (Para.)
"All Women Have Secrets" (Para.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $12,000. (Average, $11,500)

"Raffles" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $5,600. (Average, $8,000)

"Swanee River" (20th-Fox)
"The Honeymoon's Over" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $9,500. (Average, $12,000)

"The Challenge" (Korda)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $800. (Average, $1,000)

"Mlle. Ma Mere" (Hoffberg)
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $1,300. (Average $1,000)

'Balalaika' Draws $8,800 in Montreal

MONTREAL, Jan. 18. — "Balalaika" grossed $8,800 at Loew's. "The Hunchback of Notre Dame" registered $9,500 for its second week at the Palace.

Estimated takings for the week ending Jan. 12:

"Four Wives" (W. B.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $5,800. (Average, $8,000)

"Balalaika" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $8,800. (Average, $8,000)

"Raffles" (U. A.)
"Escape to Paradise" (RKO)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $3,000. (Average, $5,000)

"The Hunchback of Notre Dame" (RKO)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $9,500. (Average, $10,000)

"Marx Bros. at the Circus" (M-G-M)
"Mr. Wong in Chinatown" (Mono.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $5,000. (Average, $5,500)

U. S. to Aid Coast Fair

SAN FRANCISCO, Jan. 18.—President Roosevelt has approved Federal participation in the 1940 exposition on Treasure Island to the extent of $250,000, according to word received by George Creel, United States Commissioner to the fair. An additional $250,000 may be provided by the Government to induce Pan-American activities at the fair.

W. B. in Mexico Deal

MEXICO CITY, Jan. 18.—Oscar and San Granat, operators of the Coloso and Colonial here, have signed for the entire Warner lineup of features and shorts for the 1939-'40 season.

Critics' Quotes . . .

"NINOTCHKA" (M-G-M)

The audience laughs heartily with Garbo, because for once and for all she proves herself a clever comedienne, a deft and capable actress. . . . Brilliantly directed, superbly acted and mounted.—**Boston Daily Globe.**

Greta Garbo is showing her staunch admirers that she can be even more arresting as the gay comedienne. . . . Director Ernst Lubitsch has never used his famous sly "touches" with more humorous effect.—**Helen Eager, Boston Traveler.**

Advance reports have not lied concerning the charm of the great Garbo in her first comedy part. . . . Under the expert and knowing guidance of the incomparable Lubitsch, she plays with the utmost assurance and success.—**Boston Herald.**

Garbo laughs and the world laughs with her in "Ninotchka." . . . A completely delightful romantic comedy. . . . It is spicy, sparkling and sophisticated, brilliantly directed by Ernst Lubitsch.—**Boston Post.**

"SWANEE RIVER" (20th-Fox)

Stephen Foster lives again in "Swanee River." The genius was recreated by the magic of the screen and the magnificent artistry of Don Ameche, Andrea Leeds and Al Jolson.—**Chicago Herald-American.**

I like Don Ameche, Andrea Leeds, color, southern songs and minstrel shows, but I couldn't greatly care for "Swanee River," which features them all. The movie version of the life of Stephen Foster has been made with too much dog.—**Chicago Tribune.**

"HE MARRIED HIS WIFE" (20th-Fox)

Brightest, daffiest laugh riot to come from 20th Century-Fox's hit-studded film vaults is "He Married His Wife," which is just as nutty and as spicy as a fruitcake.—**Los Angeles Herald-Express.**

Return of the screwball comedy seems to have been achieved, with all due moderation. This hardly has a serious moment, except for a few sentimental and romantic ones. . . . Is likely to register marked popularity.—**L. A. Times.**

"CONGO MAISIE" (M-G-M)

Gets its lift from a very mediocre idea by the exceptionally grand performance turned in by Ann Sothern. . . . Doesn't come up to the first of the "Maisie" series, but it is something that you can enjoy because Ann Sothern comes through in fine fashion.—**L. A. Herald-Express.**

As usual, the lush Miss Sothern, whose comedy timing is unparalleled on the screen, steals the show with amazing ease.—**L. A. Examiner.**

One can give quite a little tribute to "Congo Maisie" as a picture, full of entertainment as it is hokum and crackling good humor. The humor comes off a shade the best. Altogether, this is the sort of film that makes show-going enjoyable.—**L. A. Times.**

"RAFFLES" (Goldwyn-U. A.)

Raffles rides again. . . . David Niven is as suave and debonair as any of his predecessors in the most famous crook role in modern literary history. . . . "Raffles," rejuvenated, is as exciting as it ever was and as full of clever twists and turns.—C. **J. Bulliet, Chicago Daily News.**

Terre Haute, Ind., Theatres Organize

TERRE HAUTE, Ind., Jan. 18.—Owners and managers of local theatres have formed a group known as the Terre Haute Theatres Association, an organization formed to promote ways in which they can better serve the public.

Those present at the initial meeting were: Nat Blank, manager of the Orpheum; Maurice Reinking, manager of the Idaho and the Swan; J. B. Stein, proprietor of the Garfield; Boyd Bell, proprietor of the Lyceum; Ben Van Borssum and Jack Van Borssum, proprietors of the Savoy and the West; A. M. Kaufman, proprietor of the Fountain; H. J. Arnold, manager of the Indiana; John Wycoff, manager of the American and Liberty, and Shannon P. Katzenbach of the Grand and general manager of the Fourth Avenue Amusement Co.

Officers elected at the meeting to serve the group during the ensuing year are: A. H. Kaufman, president; S. P. Katzenbach, vice-president, and Maurice Reinking, secretary.

Legion Approves 11 Of 12 New Pictures

National Legion of Decency has approved 11 of the 12 films reviewed for the current week. Six are classified as unobjectionable for general patronage, five as unobjectionable for adults and one objectionable in part. Films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Abe Lincoln in Illinois," "Danger on Wheels," "Fighting 69th," "Invisible Man Returns," "Music in My Heart," "Oh, Johnny, Oh." Class A-2, Unobjectionable for Adults: "Green Hell," "His Girl Friday," "Show Around the Corner," "Katia," "Of Mice and Men." Class B, Objectionable in Part: "He Married His Wife."

'Father' Unit in Loop

A Chicago company of the Broadway success, "Life With Father," opens at the Blackstone Feb. 19 for an indefinite run. Lillian Gish and Percy Waram are featured in the Chicago company.

'Wind' Paces Los Angeles With $52,000

LOS ANGELES, Jan. 18.—"Gone With the Wind," in the third week at the Carthay Circle and United Artists, bettered the second week, with a new total of $52,000, taking $22,000 at the former and $30,000 at the latter. "Destry Rides Again" and "Blondie Brings Up Baby" was strong at the Hillstreet and Pantages.

Estimated takings for the week ending Jan. 17:

"Gone With the Wind" (M-G-M)
CARTHAY Circle—(1,518) (75c-$1.50) 7 days, 3rd week. Gross: $22,000. (Average, $17,000)

"The Secret of Dr. Kildare" (M-G-M)
"The Cisco Kid and the Lady" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $8,000. (Average, $12,500)

"Of Mice and Men" (U. A.)
4 STAR—(900) (40c-55c) 7 days, 4th week. Gross: $4,000. (Average, $3,250)

"Destry Rides Again" (Univ.)
"Blondie Brings up Baby" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $16,500. (Average $6,500)

"The Secret of Dr. Kildare" (M-G-M)
"The Cisco Kid and the Lady" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $11,200. (Average, $14,000)

"Destry Rides Again" (Univ.)
"Blondie Brings Up Baby" (Col.)
PANTAGES—(2,000) (30c-65c) 7 days. Gross: $14,000. (Average, $7,000)

"The Great Victor Herbert" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Rube Wolf and orchestra. Gross: $20,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 3rd week. Gross: $30,000.

"Raffles" (U. A.)
"Reno" (RKO)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $10,300. (Average, $14,000)

"Raffles" (U. A.)
"Reno" (RKO)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $10,700. (Average, $12,000)

'Balalaika' Scores $6,000 in Cleveland

CLEVELAND, Jan. 18.—Best for the week here was "Balalaika," which grossed $6,000 for its second week at Loew's Stillman. "The Hunchback of Notre Dame" drew $13,000 in its second week at Warners' Hippodrome.

Estimated takings for the week ending Jan. 11:

"Flying Deuces" (RKO)
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $3,000. (Average, $4,000)

"The Hunchback of Notre Dame" (RKO)
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $13,000. (Average, $11,000)

"Everything Happens at Night" (20th-Fox)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Mary Martin and show on stage. Gross: $13,000. (Average, $14,000)

"The Housekeeper's Daughter" (U. A.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)

"Balalaika" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

C. I. O. Operators Lose Houston Plea

HOUSTON, Texas, Jan. 18.—Projectionists affiliated with the C. I. O. lost their plea for a temporary injunction restraining the A. F. of L. affiliates from furnishing operators to the River Oaks Theatre here.

A hearing "on the merits" of the case, seeking a permanent injunction, will be held before a jury probably during the week of Feb. 5, District Judge Kenneth McCalla said in handing down the temporary ruling.

"'THE SHOP AROUND THE CORNER' is the first picture of the new year that is sure to be on every critics' list as one of the best pictures of the year. A 'must' for everyone who goes to the movies."

—*Sidney Skolsky in Nationally Syndicated Column.*

SIDNEY SKOLSKY PREDICTS!
"Imagine, Leo, and it's only January!"
"And wait till he sees 'I TAKE THIS WOMAN' and 'STRANGE CARGO' and 'BROADWAY MELODY OF 1940' and 'NORTHWEST PASSAGE' and the others."

MARGARET SULLAVAN • JAMES STEWART in The Ernst Lubitsch Production **"THE SHOP AROUND THE CORNER"** with Frank Morgan Joseph Schildkraut • Screen Play by Samson Raphaelson • Produced and Directed by Ernst Lubitsch
Metro-Goldwyn-Mayer Picture

'Angels' Exploitation Winner Gets $1,000

Sid Holland of the Elco Theatre, Elkhart, Ind., was awarded first prize of $1,000 for his campaign on "Only Angels Have Wings" in the nationwide contest conducted by Columbia, the company announced yesterday.

Holland is now with the Schine Circuit in Gloversville, N. Y.

Ten prizes of $300 each were awarded to the following: Jack Lexey and Al Zimbalist, the Broadway, Philadelphia; James W. Walker, Fox Alcazar, Bell, Calif.; Richard D. Walsh and George H. McKenna, Lafayette, Buffalo; Guy W. Martin, Colfax, South Bend; David Kamsky, Neighborhood, Richmond; Marion Parkinson, Iowa, Jefferson, Ia.; Jack Sidney, Loew's Poli, Bridgeport; W. Osborne, Warners, Huntington Park, Calif.; E. R. Hardwick, Lyceum, Clovis, N. M., and Frank La Falce, Earle, Washington, D. C.

Judging of entries and selection of winners took place Jan. 10. The following served as judges: Jack Alicoate, Maurice Kann, Charles Lewis, Martin Quigley, A-Mike Vogel and Gertrude Merriam.

Brokers Accused Of Code Violations

Seven brokers and one theatre manager were brought up on charges yesterday before the Code Enforcement Authority of the new ticket code in the first hearings held by the authority. No action was taken yesterday and details of the charges were not made public.

After the hearing, Gustave A. Gerber, who appeared as attorney for several of the agencies, explained that several violations may have occurred during the fight against the code and before the smaller brokers accepted it. Gerber, who was a vigorous opponent of the code as it was first drawn, explained that he regarded the action as a healthy sign. "If we are to have a code it should be rigidly enforced," he declared.

Boston Officials Testify

BOSTON, Jan. 18.—Six Boston theatre officials testified today in the Morse and Rothenberg anti-trust suit against the major film companies. They were: Maurice Goldstein, city salesman for Loew's; John G. Moore, sales manager for Paramount; Albert M. Kane, Paramount branch manager; William H. Erbb, Paramount district manager; Nathan Furst, Monogram branch manager and formerly branch manager for Warners, and William Kelly, Universal branch manager.

Edward Finch Dead

MARIETTA, Ohio, Jan. 18.—Funeral services were held today for Edward E. Finch, 64, president of the Cambridge and Marietta Amusement Co., who died at his home. The company operates the Hippodrome and Putnam here and the Colonial and Strand at Cambridge.

Sherman Signs Brendel

HOLLYWOOD, Jan. 18.—El Brendel, comedian, today was signed by Harry Sherman to appear with Bill Boyd in the 1940 series of Hopalong Cassidy pictures for Paramount release. Sherman closed the deal from New York by telephone.

Hollywood Review

"Green Hell"

(Universal)

HOLLYWOOD, Jan.18.—This film is notable, tradewise, as the first of several which Harry Edington was to produce for Universal release, now also the last, in view of his recent appointment to the captaincy of RKO production. It is notable, externally, as making available for exhibitors' exploitation use the names of Douglas Fairbanks, Jr., Joan Bennett, George Sanders, Alan Hale, John Howard and Vincent Price, a potent grouping of personalities not commonly assembled under a single title. The name of James Whale as director and that of Frances Marion as writer of screen play and story also have attraction value.

The story Miss Marion wrote is essentially "movie" in character, specifically "movie" in substance and manner of telling. It is about six men and a woman beset by natural and native danger far up the Amazon, intent upon locating Inca temple ruins and obtaining both gold and historical data therefrom. The setting and the situations are of the sort used many times in serials and occasionally in feature pictures. Incidents include a torrential storm, an attack by savages and a recue by other savages. The preview audience reacted to the film much as juveniles react to serials on Saturday afternoon.

Running time, 87 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification."*

E. C. Grainger Host At Cleveland Lunch

CLEVELAND, Jan. 18.—E. C. Grainger, general manager of Shea Theatres, was host at a luncheon Tuesday at the Statler Hotel here to the Shea managers of northern Ohio and the district and branch managers of the local exchanges.

In attendance were: Frank Dow and Charles Deardourff, M-G-M; George Roberts and I. J. Schmertz, 20th Century-Fox; David Miller and Joseph Kauffmann, Universal; George Lefko, RKO; Mat Goodwin, United Artists; Duke Clark, Paramount; T. L. Mendelsohn, Warners; Sam Gorrell and Nat Lefton, Republic; Lester Zucker, Columbia; Nate Schultz, Monogram; Nat Barach, National Screen Service.

Shea managers included: Vance Minton, Clark Brown, Al Foley, Robert Rhodes, William Gillam, Paul Welton, W. O. James, Joseph Scanlon, Robert Russell, D. Duty, Daniel Gilhula, C. Huprich and Jack Hynes.

K-A-O Votes Dividend

The board of directors of Keith-Albee-Orpheum Corp. declared a dividend, out of operating surplus, of $1.75 per share on the 7 per cent cumulative convertible preferred stock for the quarter ended Sept. 30, 1937, payable on April 1, 1940, to the holders of record of said stock at the close of business on March 15, 1940.

Columbus Meet Feb. 28

COLUMBUS, Jan. 18.—Tentative dates for the annual I. T. O. convention have been set for Feb. 28 and 29, predicated on Gov. John W. Bricker having convened the legislature by that time. The convention was postponed from the regular meeting date in November.

All Operators Working

CHICAGO, Jan. 18.—John Smith, head of the Chicago operators' union, reports that all members are employed. Of some 20 theatres that closed last Summer eight failed to open in the Fall.

Goldwyn Cuts Staff, Drops Publicity Men

HOLLYWOOD, Jan. 18.—Samuel Goldwyn will pare down further his production organization this week by dropping all his publicity men except Jock Lawrence who will continue to handle Goldwyn publicity matters for the present. Leaving his employ at the end of this week are John Peere Miles, publicity director, Mabel Hill, Oliver Hopps and Jerry Dale.

Academy Gets Art Direction Choices

HOLLYWOOD, Jan. 18.—Nominations for the art direction award of the Academy of Motion Picture Arts and Sciences were listed today as follows:

"Beau Geste," Paramount; "Captain Fury," Roach; "First Love," Universal; "Gone With the Wind," Selznick; "Love Affair," RKO; "Man of Conquest," Republic; "Mr. Smith Goes to Washington," Colu[illegible]a; "Elizabeth and Essex," Warners; "The Rains Came," 20th Century-Fox; "Stagecoach," Wanger; "Wizard of Oz," Metro; "Wuthering Heights," Goldwyn.

Under the rules the arts direction award committee must view all of the nominations before voting to choose the production which will receive the award.

Skouras Managers Will Meet on Coast

Spyros and Charles Skouras, who has been conferring here, plan to leave next Wednesday for Los Angeles where the annual National Theatres division managers' meeting will be held the week of Jan. 29.

Others attending will be William Powers, film buyer, and Edward Zabel of the home office. Bud Lollier, Fox West Coast real estate and tax executive, and William Leris, F. W. C. theatre supervisor, here with Charles Skouras, will leave with the party.

Harry Cox, National Theatres treasurer, who is in Miami, will go from there to Los Angeles.

"THOU SHALT NOT KILL"

"Just because you hear me passing out a line of double-talk across the bar all the time, that doesn't mean I'm not the marrying kind."

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OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture

"Upset"

. . . "I LET THE SUBSCRIPTION TO MOTION PICTURE HERALD EXPIRE, AND WE HAVE NOT RECEIVED THE LAST TWO ISSUES OF SAME. IT SEEMS TO HAVE UPSET THE ENTIRE ROUTINE OF THE OFFICE FORCE, AS WELL AS COST ME SOME RATHER VALUABLE INFORMATION REGARDING A COUPLE OF PICTURES THAT WILL BE RELEASED VERY SOON." . . .

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COLUMBUS, MISSISSIPPI

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MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

Fox Notables Going Tonight To 'Blue Bird'

(*Continued from page 1*)

will arrive this morning from the Coast.

Accompanying them from Hollywood are Gene Markey, associate producer, and his wife, Hedy Lamarr. They are scheduled to leave for the Coast Wednesday after attending a preview of "The Grapes of Wrath" at the Normandie Tuesday night.

Among the distinguished guests in tonight's audience will be:

Mr. and Mrs. Irving Berlin, Mr. and Mrs. Edwin L. Weisl, Mr. and Mrs. Russell Countryman, William Crowley, John R. Dillon, Mr. and Mrs. Colvin Brown, Mr. and Mrs. Buddy De Sylva, Mr. and Mrs. Bernard Gimbel, Sam Shain, Mr. and Mrs. Max Gordon, Mr. and Mrs. Harry Goetz, Paul Hollister, Mr. and Mrs. Will Hays, Mr. and Mrs. W. A. Harriman, Morgan Kaufman, Nunnally Johnson, James Kieran, Mr. and Mrs. S. R. Kent, Mr. and Mrs. Andre Kostelanetz, Sidney Lanfield.

Mr. and Mrs. Ernest Lubitsch, Mr. and Mrs. A. L. Levy, Edward Leggewie, Mrs. Johanna Leona Hertz Lindlof, Paul Moss, Mr. and Mrs. Gene Markey, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. J. P. McEvoy, Mr. and Mrs. W. C. Michel, Cornelius O'Leary, Mr. and Mrs. William Paley, Seton Porter, William P. Phillips, Mrs. Helen Hertz Levy, Wheeler B. Preston, Johnny Russell, John J. Ryan, Clendening Ryan, Mr. and Mrs. Boyd Hatch.

Joseph M. Schenck, James J. Sheehy, Mr. Schilling, Miss Betty Hatch, Julius Steger, Mr. and Mrs. Herbert Bayard Swope, Mrs. Jacob Schechter, Mr. and Mrs. Bertrand Taylor, Henry C. Turner, Mr. and Mrs. Lowell Thomas, Commissioner Lewis A. Valentine, Mr. and Mrs. Herman Wobber, Miss Nancy Walker, Mr. and Mrs. Darryl F. Zanuck, Charles E. McCarthy, Harry Brand.

Norman Arenwald, Neil Agnew, Harry Arthur, Roger Albright, Leo Brecher, Harry Brandt, Will Brandt, Herman Becker, L. Bolognino, A. Blumstein, Lou Brandt, John Benas, Bernie Brooks, Clayton Bond, Joe Bernhard, Mort Blumenstock, Barney Balaban, Harry Buckley, Harry Brand, Jack Bloom, M. Breggin, Rodney Bush, Nat Brower, H. H. Buxbaum, Sam Coolick.

Max A. Cohen, Jack Cohn, Dave Chatkin, Harry Cohn, E. H. Collins, William Clark, Alfred Corwin, Harry Cox, Frank Damis, Sid Deneau, Irving Dollinger, Howard Dietz, Arthur DeBra, Oscar Doob, Harvey Day, Hector Dodd, Dan Doherty, Miss Vyvyan Donner, Gus Eysell, Russell Emde, Norman Elson, S. Charles Einfeld, William J. Eadie, Nat Fellman, Max Fellerman, Si Fabian, Emanuel Frisch, Seymour Florin, J. A. Fein, Lynn Farnol, Roger Ferrie, William Freedman, Steve Fitzgibbon and Alan Freedman.

E. C. Grainger, Jack Gelber, Sam Goodman, Harold Greenberg, Louis Goldberg, Harry Goldstein, Charles Gordon, Robert Gilham, Monroe Greenthal, Harry Goldberg, Harry Goetz, William C. Gehring, Maurice Goodman, S. Gambee, Edward Hinchy, A. A. Hovell, Harry Hecht, Wally Howes, Jack Harris, Harry A. Harris, Homer Harman, Clarence Hill, Percy Heiliger, W. J. Hutchinson, Frank S. Irby, Ben Joel, Don Jacocks, Leo Justin, Morris Jacks, Felix Jenkins, A. J. Kearney, Benjamin Knobel, Irving Kaplan, Dee Krepps, Moe Kurtz, Harold Klein, I. Kafko, Harry Kaplowitz, L. J. Kaufman, Harry Katz, Edwin P. Kilroe, W. J. Kupper and Morris Kinzler.

Joel Levy, Frank Lynch, Abe Leff, Eugene Levy, Irving Lesser, J. H. Lang, I. Lincer, Lew Lehr, Joseph Lee, D. Levy, Fred Meyers, Charles Moses, Charles McDonald, Harry Mandel, M. J. Miller, Irwin Margulies, Lewis Moses, Charles C. Moskowitz, Joseph Moskowitz, Dan Michalove, Martin Moskowitz, Harry Mersay, Eugene McEvoy, Irving Maas, Elliot McManus, Abe Montague, Carl E. Milliken, S. Barret McCormick, W. C. Michel, Leon Netter, John O'Connor, Robert Paskow, Wesley Pratzner, Jack Partington, Joseph Pincus, William Powers, Sam Rosen, Al Reid, Sam Rinzler, M. Ruden, Walter Reade, Jr., Ed Rugoff, Arthur Rapf, Sam Rhonheimer, Sidney Rosenow, Irving Renner, Charles Reagan, W. F. Rodgers, Edmund Reek, Arch Reeve.

Leonard Schlessinger, Jack Shea. Charles Steiner, Fred Schwartz, William B. Stein, Joseph M. Seider, A. L. Suchman, Dan Seider, Eddie Stern, Ben Sherman, Sid Samuelson, David Snaper, Murie Stahl, H. Sussman, Herman Starr, Sol Schwartz, Joe St. Clair, Wm. Schutzer, M. Sanders, Perry Stein, G. Stamatus, Monroe Stein, C. E. Smith, Grad Sears, Si Seadler.

George J. Schaeffer, Nate Spingold, Joel Swenson, Ted Shaw, Norman Steinberg, R. B. Simonson, J. Seco, J. Sichelman, Spyros Skouras, George Skouras, Aubrey Schenck, Louis Shanfield, Gerald Spiero, S. R. Schlein, Major L. Thompson, J. Thompson, Sydney Towell, Paul Terry, Truman Talley, Lowell Thomas, Ed Thorgersen, Franklyn Underwood, George C. Walsh, I. Welt, Jay B. Wren, William White, Frank Walker, Miss Ruth Weisberg, Earl Wingart, William Weiss, William Warner, Leslie Whelan, William Yoost, Bernard Zimetbaum and E. Zabel.

Flip of Coin Decides Theatres for 'Wind'

The flip of a coin at M-G-M's Buffalo exchange Wednesday decided that "Gone With the Wind" will play at Warners' Keeney Theatre in Elmira and Ben Bordonaro's Palace in Olean, opening Feb. 2 and Feb. 11, respectively. M-G-M product is shared by Warners and independents in the two cities, and the coin toss was agreed upon by the exhibitors.

The procedure was approved by E. K. O'Shea, M-G-M district manager, as another evidence of M-G-M as "the friendly company."

Metro Reveals 17 More 'Wind' Dates

"Gone With the Wind" bookings set by M-G-M now total 144 in 131 cities, including 17 engagements disclosed yesterday.

Three-a-day showings set are: Feb. 2, Warner, Youngstown, O.; Capitol, Pottsville, Pa., Keeney, Elmira, N. Y.; Feb. 9, Capitol, Hazelton, Pa.; Capitol, Shenandoah, Pa.; Music Box, Tacoma, Wash.; Feb. 11, Palace, Olean, N. Y.; Feb. 16, Colonial, Lebanon, Pa.; Strand, Sunbury, Pa. In Youngstown and Shenandoah there will be only two shows Sunday, with seats reserved.

New two-a-day bookings are: Jan. 29, Carolina, Charlotte, N. C.; Feb. 2, Shea, Erie, Pa.; Feb. 8, Fox, Butte, Pa.; Retlaw, Fond du Lac, Wis.; Feb. 11, State, Manchester, N. H.; Shea, Bradford, Pa.; Feb. 14, Capitol, Sacramento, Cal.; Feb. 16, Capitol, Chambersburg, Pa. In the latter house, there will be three performances Saturday, with only the evening show reserved.

Following a two-week run at the Carolina, Charlotte, the film will move to the Imperial for an indefinite engagement at the same two-a-day policy.

Dismissal Denied

N. Y. Supreme Court Justice Valente yesterday denied an application of the Metropolitan Life Insurance Co. to dismiss the $500,000 suit of Donald L. Besdine. Plaintiff charges the defendant with attempting to drive him off the air.

MPTO Elects Wilkinson

NEW HAVEN, Jan. 18.—The Connecticut M. P. T. O. has elected George H. Wilkinson, Jr., treasurer of the organization, succeeding the late George H. Wilkinson, operator of the Wilkinson Theatre, Wallingford.

Radio Brevities

NBC tried an interesting television experiment Wednesday night when the same program was simultaneously telecast over W2XBS and broadcast over WJZ. The results were far from satisfactory but indicated definite possibilities.

Commissioner Joseph Goodman, of the Department of Water Supply, Gas and Electricity, and two engineers discussed the city's water supply. For the benefit of the video audience about 10 stills were telecast during the talk. The program was dull, principally because the speakers read from notes but when the new portable cameras are ready, shows like Fred Allen, "Information, Please" or, perhaps, the NBC Symphony, may settle television's program problem for a while.

"School of Air" Spreads

Five more states, Virginia, Missouri, Florida, North Carolina and Connecticut, have adopted the CBS "American School of the Air" as an official part of the educational curriculum. Eleven states now have the feature.

Personalities in the News

Eleanor Roosevelt will be guest of Gene Autry on his "Melody Ranch" program over CBS on Sunday, Jan. 28. . . . G. W. Johnstone, WOR's director of public relations and special features, will direct the radio activities of the Finnish Relief Fund on a part time basis. . . . Guy Lombardo's band program will originate from Hollywood from Feb. 5 to March 18. . . . Bob Ballentine and Agnes Hoyer of NBC's Chicago office will be married on Feb. 6.

$400,000 for Relief

Approximately $400,000 has been earned thus far for the Motion Picture Relief Fund by the Screen Actors Guild in its first year with their Sunday night Gulf Oil show, CBS revealed yesterday.

Actors perform without charge on the show with the proceeds going to the Fund. Gulf Oil yesterday renewed its time on CBS for the eighth consecutive year.

Program Notes

Irving Caesar's "Sing a Song of Safety" show is now a regular feature every Sunday at 12.30 P.M. over the Mutual network. Gerald Marks, who composed the music for this series of "safety songs," accompanies Caesar at the piano. . . . Sterling Products has renewed the "Goodwill Hour" with John J. Anthony for an additional 52 weeks over Mutual. The show starts its third year Sunday.

WOR Goes FM on March 1

Around March 1, WOR will transmit all its programs over a new FM transmitter which will be put into operation on about that date. The programs will also be broadcast on the regular WOR wavelengths, of course, but the new transmitter will have the effect of giving the metropolitan area a full-time FM station.

Women 20-Year Vets

Five women employes of M-G-M have been with the company 20 years or more, a checkup reveals. They are Marion Ryan, Buffalo office manager; Adeline Kerr, Chicago office manager's secretary; May L. Cassidy, Denver cashier; Mary Vaughn, St. Louis chief inspector, and Effa Baxter, Cleveland chief inspector.

Allied Asks Quick Vote on Neely Bill

(*Continued from page 1*)

lems which it had considered, the Board adopted a resolution renewing Allied's protest against the air appearances of film stars, pointing out that "the theatres cannot continue to pay the high film rentals now being demanded while Hollywood's best talent is engaged in giving free shows in competition" and asserting that it is a practice which only the major companies have the power to stop.

Under another resolution, distributors supplying films to theatres were called upon to stop licensing 16 mm. versions of their productions, both features and shorts, for public exhibition, and to cancel all outstanding licenses and prevent the unauthorized public exhibition of narrow films.

The board reaffirmed the Association's position that disputes involving clearance, zoning, overbuying and other issues should be settled locally by "fair arbitration."

In a final resolution, the board called upon the regional associations having offices in metropolitan areas to cooperate with the Bureau of Street Traffic Research of Yale University in its survey of parking conditions.

Following the meeting, the board issued a formal statement, in anticipation of possible labor difficulties in Hollywood when the present temporary wage arrangement terminates, which might spread throughout the industry, declaring that the Association "will take whatever steps are necessary to protect its members from being the innocent victims of any general strike growing out of a dispute to which they are not parties."

Delegation of 69th To Greet Film Stars

(*Continued from page 1*)

of honor at the Regiment's reunion dinner at the Waldorf-Astoria on Wednesday, when the film will be screened.

Brig. Gen. Alexander E. Anderson, Col. William J. Donovan, Col. John J. Mangan and his staff will head the group at the station, accompanied by the 40-piece regimental band.

More than 1,000 reservations have been received for the dinner. Additional radio plugs for the film will be heard on WEAF and WOR, while the arrival of the stars will be announced over several New York stations.

Albert S. Howson, director of censorship for Warners will address members of the Woman's Forum at the Roosevelt Hotel today on "The Fighting 69th."

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SATURDAY 'BLUE BIRD' EXTRA

N PICTURE
DAILY

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NEW YORK, U. S. A., SATURDAY, JANUARY 20, 1940
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Zanuck Hails Longer Film Playing Time

Fox to Have More Road Shows This Season

By AL FINESTONE

Darryl F. Zanuck, production chief of 20th Century-Fox, arrived from the Coast yesterday with Joseph M. Schenck, board chairman. In a press interview Zanuck discussed the advisability of stipulating longer playing time in film contracts wherever possible if the domestic market is to compensate for the loss of revenue from abroad and mounting production costs.

Darryl F. Zanuck

This, he said, is the opinion of producers on the Coast.

Zanuck said that pictures can be made anywhere, but "good films can be made only in Hollywood." This was in reply to reporters' questions about production in New York.

The company's production program for next season probably will be set before Zanuck leaves Wednesday for the Coast.

More roadshows will come from 20th Century-Fox this season and next, and the studio is gearing its operations in that direction, said Zanuck. In this category he mentioned "Lillian Russell," "Brigham Young" and "Down to the Sea in Ships."

"Lillian Russell" will be first of the forthcoming roadshows. It will run three hours and 15 minutes and will be given special sales handling at higher than usual percentages. It is budgeted at more than $2,000,000, the

(*Continued on page* 9)

Al Steffes Stricken Ill at Washington

WASHINGTON, Jan. 19.—W. A. (Al) Steffes, Minneapolis exhibitor and Allied leader, is in the Providence hospital where he will remain for five or six weeks. While here for the meeting of the National Allied board, he was unexpectedly taken ill Wednesday at the Carlton Hotel.

'Blue Bird' Lures Industry's Top Executives to Premiere

Undaunted by the severity of the weather last night, 1,500 persons jammed the Hollywood Theatre to capacity to see the world premiere of "The Blue Bird," 20th Century-Fox color feature.

When the 80-minute show ended, the audience, with ovations and exclamatory words of approval, acclaimed the cinematic version of Maurice Maeterlinck's famous fantasy.

Included in the audience were practically all of the leading officials of 20th-Fox, besides executives from other motion picture companies. Notable among those present were the following:

Darryl Zanuck, 20th-Fox studio chief; S. R. Kent, president; Joseph M. Schenck, chairman of the board; Will Hays, Jesse Lasky, Ernst Lubitsch, Barney Balaban, Herman Wobber, Spyros Skouras, Charles Skouras, Edwin L. Weisl, Gene Markey, associate producer of "The Blue Bird," and scores of other industry officials.

Other celebrities noticed among the "First Nighters," most of whom were accompanied by their wives and formally dressed, were William Paley, CBS president; Postmaster General James A. Farley, Conde Nast, Irving Berlin, Jack Cohn, Andre Kostelanetz, Sidney Lanfield and many others.

Crowds congregated early in front of the Hollywood where arc lights illuminated the front. Autograph seekers and others eager to see celebrities composed a large portion of the throng. When glamorous Hedy Lamarr arrived, scores struggled to catch a glimpse of her and her husband, Markey.

In the long lobby, photographers took flashbulb shots of the arriving executives and stars. A Movietone News crew also filmed the notables. These shots will be included in a trailer which will be used to exploit "The Blue Bird" in other cities. Another Movietone News crew obtained outdoor shots from across the street.

"The Blue Bird" today starts its regular two-a-day run for a limited engagement which will extend at least four weeks. Other premieres are scheduled at Detroit, opening there at the Adams on Feb. 2, and at San Francisco, where it goes into the St. Francis on Feb. 1.

The 20th-Fox publicity-advertising staff in charge of the premiere here was headed by Charles E. McCarthy. He was assisted by Arch Reeve, advertising manager; Rodney Bush, exploitation manager; Earl Wingart, Carl Mos, Abe Goodman, William Chambliss and Irving Kahn.

"The Blue Bird"

[20TH CENTURY-FOX]

The artistic power of the screen has been brought to bear with great entertainment results in Darryl Zanuck's film adaptation of Maurice Maeterlinck's immortal fantasy, "The Blue Bird." It is a masterpiece of imagination, spectacular and rich in sentiment.

Unique as an entertainment type, the picture is in stunning color, some of the effects reaching new effective heights. The story is laden with the naive moral value of the significant fairy tale, and as such should be found to have unquestionable appeal to audiences of all ages, types and places.

There is no doubt that the famous story, here brought brilliantly to life, will be a thrilling treat to every child in the world, and their parents will be only too willing that the children should see it. Its moral, well sugar-coated, is of real importance. The picture should be a delight to the adult as well.

With Gene Markey as associate producer, Director Walter Lang tells his story simply, with a fine handling of cast and an adept spacing of his most colorful sequences. A word of praise should be given for the screen adaptation of Ernest Pascal, the photography of Arthur Miller and the music of Alfred Newman.

Every showman across the world has Shirley Temple as the cast

(*Continued on page* 9)

Majors Attack Vineland Writ, Brand It Illegal

3-Judge Appeals Court Gives Ruling on Feb. 5

PHILADELPHIA, Jan. 19.—A preliminary injunction in an anti-trust suit granted last November to Landis Theatre, Vineland, N. J., by Judge William H. Fitzpatrick in the U.S. District Courts here, was attacked as unconstitutional today in arguments on an appeal before the U.S. Circuit Court of Appeals by former Attorney General William A. Schnader, representing all the major distributors, and Morris Wolf, counsel for the Warner Bros. theatre circuit, all defendants in the case.

Judges John Biggs, Jr., Albert B. Maris and William Clark adjourned sessions, after hearing arguments from both sides all day, and reserved decision until Feb. 5, on which date, curiously enough, a similar suit filed by Harry Fried, who operates three independent houses in the suburbs, will be heard against the same defendents in the District Court here. State Senator Shapiro represented Landis.

Schnader, discounting all charges of monopoly and conspiracy on part of the majors because of lack of evidence presented to substantiate that charge, argued that the only way the picture industry could hope to satisfy all ex-

(*Continued on page* 9)

Welles Deal to Stay, Declares Schaefer

Production of "The Heart of Darkness," Orson Welles' first picture for RKO, will be completed and there has been no change in the status of Welles' contract with the company, George J. Schaefer, RKO president, said yesterday, prior to his departure for the Coast.

Welles, who was in New York for one dav during the past week to confer with Schaefer, has returned to Hollywood to continue work on the production.

Schaefer, accompanied by Ned E. Depinet, RKO vice-president and distribution head, left on the 20th Century and will be at the studio for three weeks conferring with Harry Edington, Joseph Nolan, Lee Marcus and other production officials on RKO's new season production plans.

Depinet stated that no decision has

(*Continued on page* 2)

Welles Picture Deal Will Stay, Says Schaefer

(*Continued from page* 1)

been made in advance as to the number of pictures which the company will schedule for 1940-'41. It is one of several matters to be determined during the studio conferences, he said.

Questioned concerning Allied States' effort to revive an arbitration system for adjudication of clearance and zoning and overbuying complaints, Depinet said that it would require the voluntary participation of all theatre interests and expressed a doubt as to whether or not independent circuits would consent to submit such questions to arbitration. Without their participation, he indicated, there would be no arbitration in the industry.

Depinet, a member of the distributors' trade practice negotiating committee, said that he did not see how distributors, who would be only one party to some complaints and might not be involved at all in others, could bring about arbitration if exhibitors, and particularly independent circuits, were unwilling to participate.

Also leaving for the Coast on the 20th Century were James Mulvey, Eastern representative for Samuel Goldwyn; Oscar Serlin, Broadway producer, and Robert Benchley.

Kingsberg in Bigger RKO Theatres Post

Malcolm Kingsberg was elected executive vice-president of Keith-Albee-Orpheum Corp. and B. F. Keith Corp., principal RKO theatre subsidiaries, at meetings of the boards of the two companies yesterday.

William J. Merrill, who was elected a vice-president of RKO last week, will be elected treasurer of the company at the next meeting of the board of the parent company. Merrill has been a financial adviser in RKO for the past four years and was assistant to George J. Schaefer, president, during the past year.

Kingsberg has been vice-chairman of the board of K-A-O and B. F. Keith for many years. He will continue in those posts in addition to his new executive vice-presidency.

Oppose Burlesque Ban

Providence, Jan. 19.—The Bureau of Police and Fire today promised reconsideration of its action last week in denying a license to the Playhouse for the presentation of burlesque. Aldermen last night adopted a resolution asking the bureau to reconsider.

Sues on Program Title

Asking an injunction against the use of the name "The Good Samaritan" in a radio program, Michael Maresca Ansaldi has filed suit against NBC and the Procter & Gamble Co. The suit, which charges the use of the name in a program called "The Guiding Light" broadcast over WEAF, also seeks $25,000 damages.

Club Party Is Set

Columbus, O., Jan. 19.—Card party will be held Jan. 24 by the ladies of the Variety Club here. Mrs. Albert Redman is chairman of the committee in charge.

Snow, Cold Wave Injure Box-Offices

The snowstorm and cold wave which hit New York yesterday caused Broadway grosses to slump badly during the morning and early afternoon hours but the boxoffice rallied somewhat during the evening.

"He Married His Wife," with a stage show, opened at the Roxy with an estimated $5,000. At the Hollywood, the world premiere of "The Blue Bird" was at capacity and starts two-a-day run today.

First three days of "Remember the Night" at the Paramount, with Bob Chester's band on the stage, grossed an estimated $19,000. At the Music Hall, the first two days of the second week of "His Girl Friday," with a stage show, drew an estimated $19,000. "Invisible Stripes," with Shep Fields' band on the stage, started its second week yesterday with an estimated $3,600 at the Strand.

Metro Announces More 'Wind' Dates

Fourteen new "Gone With the Wind" engagements were announced yesterday by M-G-M, making 156 in 143 cities. New dates follow:

Jan. 26, Cambria, Johnstown, Pa.; Jan. 30, Florida, Daytona Beach, Fla.; Grand, Orlando, Fla.; Feb. 5, Capitol, St. Petersburg, Fla.; Feb. 6, Ritz, Tallahassee, Fla.; Feb. 7, Tampa, Tampa, Fla.; Florida, Jacksonville, Fla.; Feb. 8, Orpheum, Huntington, W. Va.

Feb. 1, Paramount, Palm Beach, Fla.; Feb. 2, Capitol, Lancaster, Pa.; Feb. 4, Smoot, Parkersburg, W. Va.; Feb. 8, Strand, Ithaca, N. Y.; Feb. 9, Strand, York, Pa.; Feb. 13, Polk, Lakeland, Fla.

Bingo Is Continuing Despite Wis. Ruling

Milwaukee, Jan. 19.—Despite a ruling by the State Supreme Court holding Bingo to be a lottery, the games are being continued locally and around the state with the indication that they will not be restrained so long as no complaints against them are lodged with district attorneys.

B. J. Miller, counsel for Charles W. Trampe, head of Film Service, Inc., who secured the injunction against the Bahn Frei Hall here which resulted in the high court ruling, indicated that further complaints would be made against other halls if the games were not stopped.

Tavern Wins Right To Adjoin Theatre

Terre Haute, Ind., Jan. 19.—A petition recently filed here against the location of a tavern next to a theatre was lost by the theatre at a recent hearing of the board at Indianapolis.

Recently the liquor board granted a permit for transfer of a tavern to relocate next door to the Fountain. A. M. Kaufman, theatre owner, the owner of the building and patrons protested. The fight was carried to the capital and the tavern won the fight.

Warners Party Hosts

Warners played host yesterday at a cocktail party in the Janssen Suite of the Waldorf-Astoria. Guests of honor were Errol Flynn, Miriam Hopkins and William Dieterle.

'March of Dimes' Broadcast Tonight

Stars from all sections of the entertainment world will participate in a one-hour broadcast over the three major networks tonight at 11:00 P. M. to aid the March of Dimes of the "Fight Infantile Paralysis" campaign. All services will be donated. The program will originate from Hollywood.

TBS Drops Plans For Feb. 1 Opening

Transcontinental Broadcasting System will not start operations on Feb. 1 as scheduled, John T. Adams, chairman of the board, declared yesterday.

Beyond stating that the opening will not take place "due to circumstances beyond our control and the attitude of others," Adams declined to disclose future plans of the proposed network.

TBS was originally scheduled to open on Jan. 1 but failed to do so when negotiations with Blackett-Sample-Hummert failed. Elliott Roosevelt was president of the network, but resigned on Dec. 21.

District Court Gets Goldwyn-U. A. Suit

Suit of Samuel Goldwyn, Inc., against United Artists for $54,559 with interest was transferred yesterday from N. Y. Supreme Court to U. S. District Court. Goldwyn is suing for additional payments claimed to be due him under contract for pictures which have brought in revenues over average. U.A. tendered payment, but failed to include interest from Aug. 25, 1939, the date due, Goldwyn claims.

Unions in Dispute On Finnish Benefits

A controversy has broken out over the attitude of theatrical unions in giving Finnish Relief Fund benefits.

Petitions for a meeting of Actors Equity to consider its position were filed yesterday with the union. A meeting Tuesday probably will consider the issue.

Many performers declared that relief funds should be raised for Americans, rather than for the Finns, stressing the fact that "charity should begin at home."

Roxy Votes Dividend

The board of directors of Roxy Theatre, Inc., at its meeting yesterday declared a quarterly dividend of 37½c per share on the outstanding preferred stock of the corporation, payable March 1, 1940, to stockholders of record at the close of business on Feb. 9, 1940.

Poster Convention Set

Annual convention of the National Poster Service Association will be held at the Hotel New Yorker Feb. 9, 10 and 11. Simon Libros of Philadelphia has been president of the association since its inception 10 years ago.

◂ *Purely Personal* ▸

Joseph Schenck lunched yesterday at the Plaza with George J. Schaefer, Sidney R. Kent, Spyros and Charles Skouras, William Philips and Malcolm Kingsberg.

•

Sherman Germaine, son of Sam Germaine, 20th Century-Fox booking manager in New Haven, has married Lee Oppenheimer of New Haven.

•

Harry Branch, president of Michigan Allied, was in town yesterday on his way to Hastings from the Washington Allied meeting.

•

Sabu, Indian boy star, will come to this country from England early next month for a personal appearance tour.

•

Joe Penner will arrive Monday for a four-weeks vacation here.

Stahl Due Monday For Parley at U. A.

John Stahl, who will arrive from the Coast on Monday, will confer the same day with Maurice Silverstone, United Artists chief executive, on a producing and distributing deal with that company.

Prior to his departure from the Coast Stahl was reported to be prepared to produce about three pictures annually for United Artists release, on a three-year arrangement.

Decourville Films To Get U. S. Release

Two Albert Decourville productions, made in England, will be distributed in the United States by major companies.

The first, "The Lambeth Walk," will be distributed here by M-G-M, with release set for Jan. 26. His second production, "Englishman's Home," will be distributed by Columbia.

Ice Show Competition

Providence, Jan. 19.—With $31,000 in advance sales, the Ice Follies of 1940, playing the Rhode Island auditorium next week, promised stiff competition for exhibitors.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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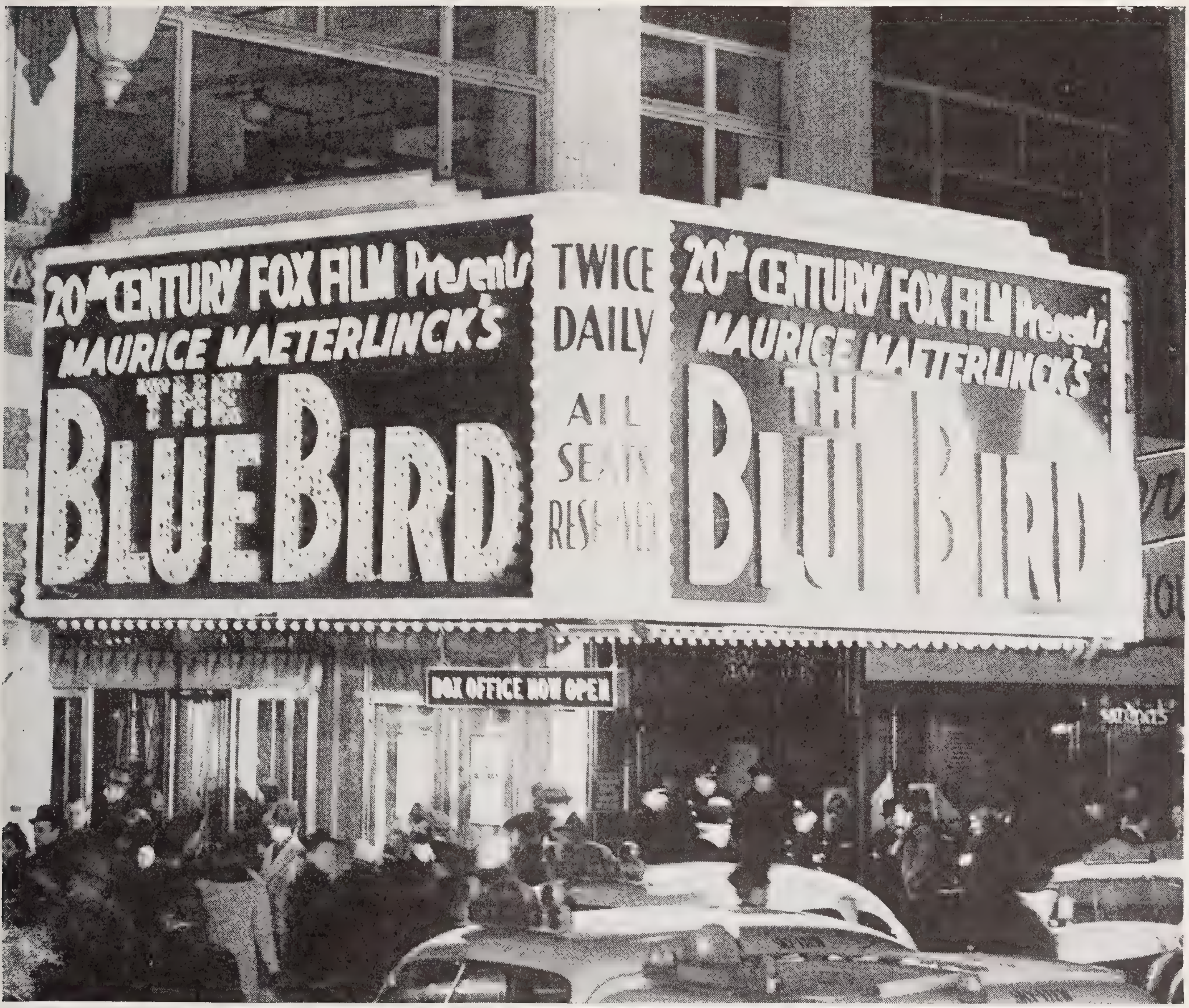
OVATION GREETS "THE BLUE BIRD" AT BRILLIANT ROAD-SHOW WORLD PREMIERE IN NEW YORK!



"One of the greatest pictures ever brought to the screen," cheered the nation's outstanding reviewers and leaders of all branches of the industry, including an unusual number of prominent exhibitors, at last night's opening!

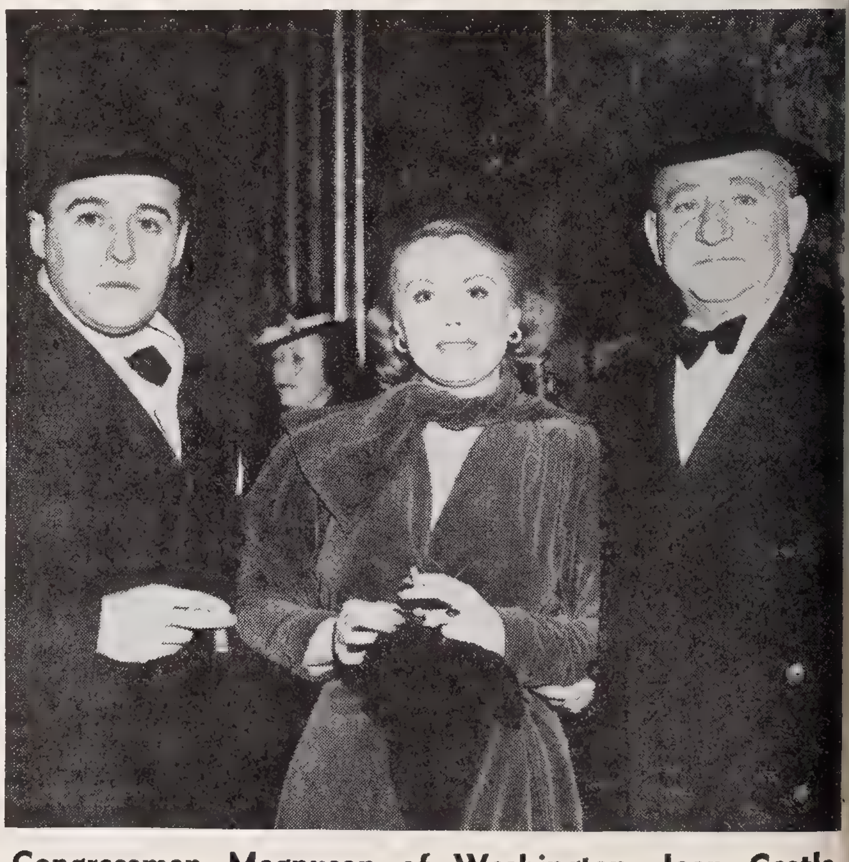
SCENES FROM "BLUE AT HOLLYWOOD

Mr. & Mrs. Darryl F. Zanuck, Hedy Lamarr and Gene Markey

Lily Pons and Andre Kostelanetz

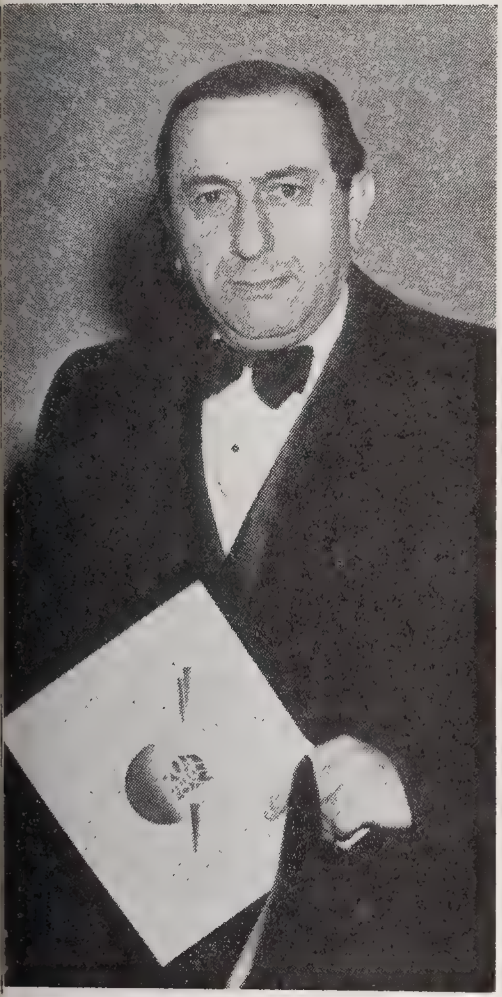
Spyros Skouras

Will H. Hays



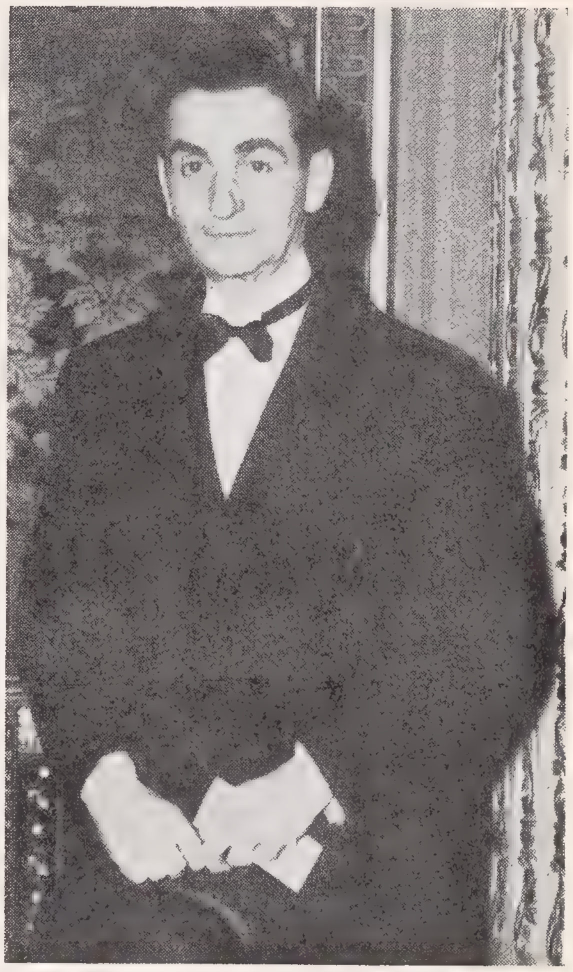
Congressman Magnuson of Washington, Joan Castle and Joseph M. Schenck

BIRD" PREMIERE . . .
THEATRE, N. Y.



Ernst Lubitsch

Mr. & Mrs. Sidney R. Kent



Irving Berlin

Mr. & Mrs. Barney Balaban, Mr. & Mrs. Herman Wobber

Fred S. Meyer, John J. O'Connor,
Max Fellerman and party

SMASH NEWSPAPER
SPECTACULAR OPENING OF

Twentieth Century-Fox Film Corporation announces the world premiere of Maurice Maeterlinck's THE BLUE BIRD, which will be shown twice daily with all seats reserved. Thus presented, you may see this picture as it should be seen—from the very beginning—and enjoy to the fullest its mood of rare beauty.

We believe that for years to come you will remember THE BLUE BIRD. Greater than its players, it is one of the most beautiful pictures ever made, a human drama of ageless appeal.

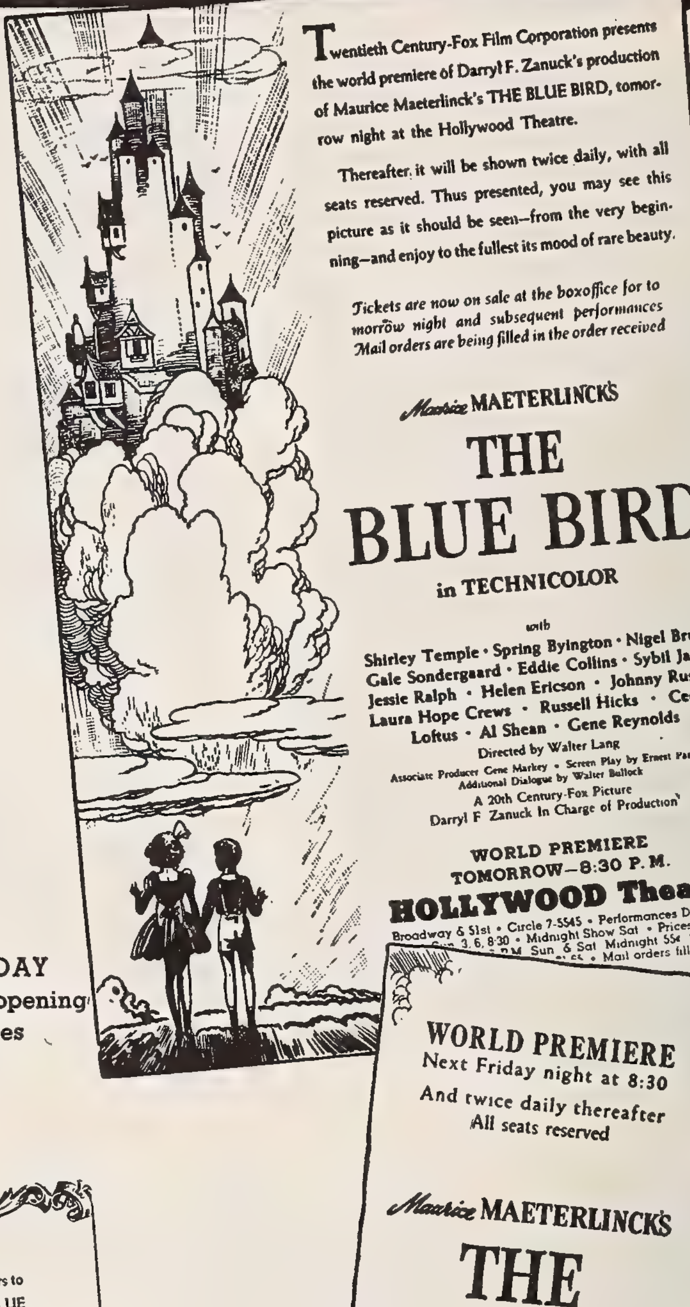
Tickets are now on sale at the boxoffice for opening night and subsequent performances. Mail orders are being filled in the order received.

Maurice MAETERLINCK'S
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce • Gale Sondergaard • Eddie Collins • Sybil Jason • Jessie Ralph • Helen Ericson • Johnny Russell • Laura Hope Crews • Russell Hicks • Cecilia Loftus • Al Shean • Gene Reynolds
Directed by Walter Lang
Associate Producer Gene Markey • Screen Play by Ernest Pascal
Additional Dialogue by Walter Bullock
A 20th Century-Fox Picture
Darryl F. Zanuck In Charge of Production

WORLD PREMIERE
Friday, January 19th at 8:30 P. M.
HOLLYWOOD Theatre
Broadway & 51st • Circle 7-5545 • Performances Daily 2:30, 8:30 • Sun. 3, 6, 8:30 • Midnight Show Sat. • Prices (including tax) Mats., 6 P.M. Sun. & Sat. Midnight 55¢, 85¢, $1.10 • Eves. 55¢, 85¢, $1.10, $1.65 • Mail orders filled.

FRIDAY
7 days before opening
500 lines



Twentieth Century-Fox Film Corporation presents the world premiere of Darryl F. Zanuck's production of Maurice Maeterlinck's THE BLUE BIRD, tomorrow night at the Hollywood Theatre.

Thereafter it will be shown twice daily, with all seats reserved. Thus presented, you may see this picture as it should be seen—from the very beginning—and enjoy to the fullest its mood of rare beauty.

Tickets are now on sale at the boxoffice for tomorrow night and subsequent performances Mail orders are being filled in the order received

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A 20th Century-Fox Picture
Darryl F Zanuck In Charge of Production

WORLD PREMIERE
TOMORROW—8:30 P. M.
HOLLYWOOD Theatre
Broadway & 51st • Circle 7-5545 • Performances Daily 2 30, [illegible] 3, 6, 8 30 • Midnight Show Sat • Prices (includ- [illegible] P.M. Sun & Sat Midnight 55¢ 85¢ $1 10 [illegible] • Mail orders filled

THURSDAY
1 day before opening
400 lines

We predict that for many years to come, you will remember THE BLUE BIRD as the most beautiful picture ever made and the most human story ever told.

Maurice MAETERLINCK'S
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce • Gale Sondergaard • Eddie Collins • Sybil Jason • Jessie Ralph • Helen Ericson • Johnny Russell • Laura Hope Crews • Russell Hicks • Cecilia Loftus • Al Shean • Gene Reynolds
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Associate Producer Gene Markey • Screen Play by Ernest Pascal • Additional Dialogue by Walter Bullock
A 20th Century-Fox Picture
Darryl F Zanuck In Charge of Production

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Friday—8:30 P. M.
HOLLYWOOD THEATRE
Broadway & 51st • Circle 7-5545 • Performances Daily 2:30, 8:30 • Sunday 3, 6, 8:30 Midnight Show Saturday • Prices (including tax) Matinees, 6 P. M. Sunday & Saturday Midnight 55¢, 85¢, $1.10 • Evenings 55¢, 85¢, $1.10, $1.65 • Mail orders filled.

SUNDAY
5 days before opening
200 lines

MONDAY
4 days before opening
250 lines

We believe that for many years to come, you will remember THE BLUE BIRD as the most beautiful picture ever made . . . the most human story ever told.

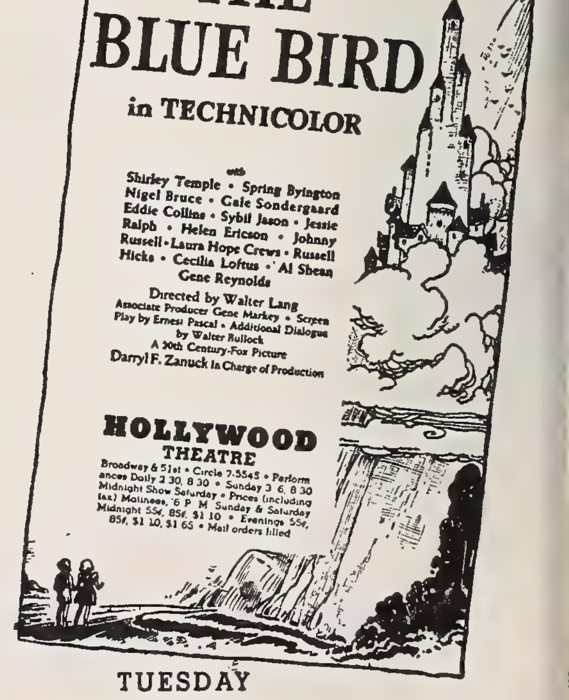
That you may see it as it should be seen—from the very beginning—and enjoy it to the fullest, THE BLUE BIRD will be shown twice daily with all seats reserved.

Tickets are now on sale at the boxoffice for the world premiere Friday evening and subsequent performances. Mail orders are being filled in the order received

Maurice MAETERLINCK'S
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce • Gale Sondergaard • Eddie Collins • Sybil Jason • Jessie Ralph • Helen Ericson • Johnny Russell • Laura Hope Crews • Russell Hicks • Cecilia Loftus • Al Shean • Gene Reynolds
Directed by Walter Lang
A 20th Century-Fox Picture
Darryl F Zanuck In Charge of Production

WORLD PREMIERE *Friday—8:30 P.M.*
HOLLYWOOD Theatre
Broadway & 51st • Circle 7-5545 • Performances Daily 2 30, 8 30 Sunday 3, 6, 8 30 • Midnight Show Saturday • Prices (including tax) Matinees 6 P M Sunday & Saturday Midnight 55¢, 85¢, $1 10 • Evenings 55¢, 85¢, $1 10, $1 65 • Mail orders filled



WORLD PREMIERE
Next Friday night at 8:30
And twice daily thereafter
All seats reserved

Maurice MAETERLINCK'S
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington Nigel Bruce • Gale Sondergaard Eddie Collins • Sybil Jason • Jessie Ralph • Helen Ericson • Johnny Russell • Laura Hope Crews • Russell Hicks • Cecilia Loftus • Al Shean Gene Reynolds
Directed by Walter Lang
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A 20th Century-Fox Picture
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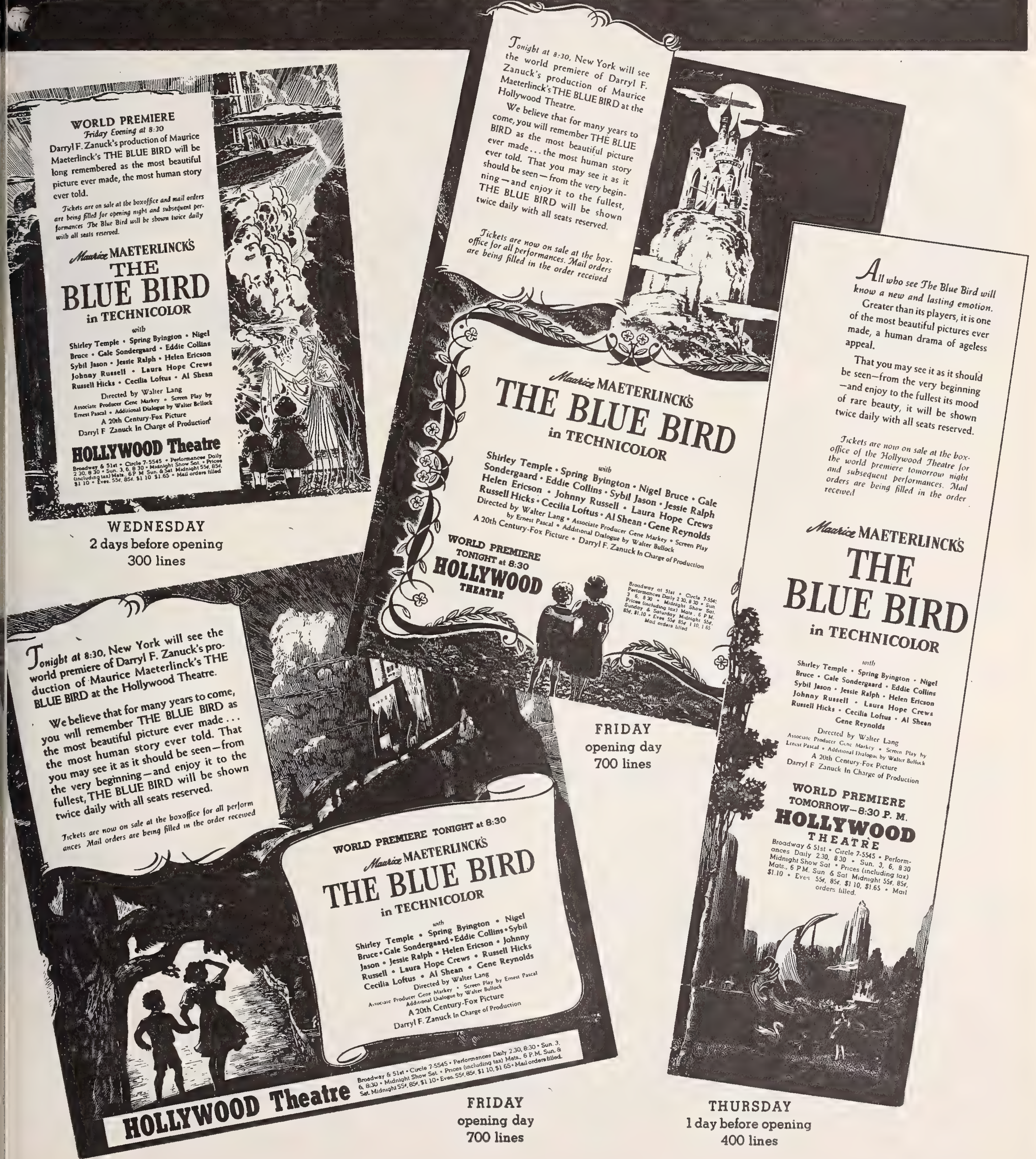
HOLLYWOOD THEATRE
Broadway & 51st • Circle 7-5545 • Performances Daily 2 30, 8 30 • Sunday 3 6, 8 30 Midnight Show Saturday • Prices (including tax) Matinees, 6 P M Sunday & Saturday Midnight 55¢, 85¢, $1 10 • Evenings 55¢, 85¢, $1 10, $1 65 • Mail orders filled

TUESDAY
3 days before opening
250 lines

CAMPAIGN HERALDS
NEW YORK TWO-A-DAY RUN!



WORLD PREMIERE
Friday Evening at 8:30

Darryl F. Zanuck's production of Maurice Maeterlinck's THE BLUE BIRD will be long remembered as the most beautiful picture ever made, the most human story ever told.

Tickets are on sale at the boxoffice and mail orders are being filled for opening night and subsequent performances The Blue Bird will be shown twice daily with all seats reserved.

Maurice MAETERLINCK'S
THE
BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce • Gale Sondergaard • Eddie Collins Sybil Jason • Jessie Ralph • Helen Ericson Johnny Russell • Laura Hope Crews Russell Hicks • Cecilia Loftus • Al Shean

Directed by Walter Lang
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HOLLYWOOD Theatre
Broadway & 51st • Circle 7-5545 • Performances Daily 2 30, 8 30 • Sun. 3, 6, 8 30 • Midnight Show Sat. • Prices (including tax) Mats., 6 P M Sun. & Sat Midnight 55¢, 85¢, $1 10 • Eves. 55¢, 85¢, $1 10 $1.65 • Mail orders filled

WEDNESDAY
2 days before opening
300 lines

Tonight at 8:30, New York will see the world premiere of Darryl F. Zanuck's production of Maurice Maeterlinck's THE BLUE BIRD at the Hollywood Theatre.

We believe that for many years to come, you will remember THE BLUE BIRD as the most beautiful picture ever made . . . the most human story ever told. That you may see it as it should be seen — from the very beginning — and enjoy it to the fullest, THE BLUE BIRD will be shown twice daily with all seats reserved.

Tickets are now on sale at the box-office for all performances. Mail orders are being filled in the order received

Maurice MAETERLINCK'S
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce • Gale Sondergaard • Eddie Collins • Sybil Jason • Jessie Ralph Helen Ericson • Johnny Russell • Laura Hope Crews Russell Hicks • Cecilia Loftus • Al Shean • Gene Reynolds
Directed by Walter Lang • Associate Producer Gene Markey • Screen Play by Ernest Pascal • Additional Dialogue by Walter Bullock
A 20th Century-Fox Picture • Darryl F. Zanuck In Charge of Production

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TONIGHT at 8:30
HOLLYWOOD
THEATRE

Broadway at 51st • Circle 7-5545 Performances Daily 2 30, 8 30 • Sun 3 6, 8 30 • Midnight Show Sat. Prices (including tax) Mats . 6 P.M. Sunday & Saturday Midnight 55¢, 85¢, $1.10 • Eves 55¢ 85¢ 1 10, 1 65 Mail orders filled

FRIDAY
opening day
700 lines

All who see The Blue Bird will know a new and lasting emotion.

Greater than its players, it is one of the most beautiful pictures ever made, a human drama of ageless appeal.

That you may see it as it should be seen—from the very beginning —and enjoy to the fullest its mood of rare beauty, it will be shown twice daily with all seats reserved.

Tickets are now on sale at the box-office of the Hollywood Theatre for the world premiere tomorrow night and subsequent performances. Mail orders are being filled in the order received

Maurice MAETERLINCK'S
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BLUE BIRD
in TECHNICOLOR

with
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THEATRE
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400 lines

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Tickets are now on sale at the boxoffice for all performances Mail orders are being filled in the order received

WORLD PREMIERE TONIGHT at 8:30
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FRIDAY
opening day
700 lines

ALL POINTED TO THE GREAT DAY WHEN YOUR THEATRE PLAYS "THE BLUE BIRD"

Road shows in New York, Detroit, San Francisco—strategically covering East, Midwest, Far West—from which radiate, by word-of-mouth and printed page, the prestige and entertainment greatness of "The Blue Bird."

National magazine advertising. Full-color, full-page ads in Liberty, Ladies' Home Journal, Life, Parents' Magazine, Scholastic. Millions *and millions* of readers!

Fan magazine advertising reaching the backbone of your audience through every leading fan publication.

Assist newspaper advertisements. Big-space, strong-selling ads timed and tied-in with your engagement.

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Big Campaign Gives Impetus To 'Blue Bird'

The national advertising, publicity and exploitation campaign on "The Blue Bird" is the largest in the history of the 20th Century-Fox organization, according to Charles E. McCarthy, advertising and publicity director.

Stress has been laid on radio exploitation, with the first important broadcast being the Christmas eve Screen Actors' Guild program on CBS in which Shirley Temple was featured for the first time on the air, creating nationwide interest in Darryl F. Zanuck's production of the Maurice Materlinck fantasy.

Among other tieups, Johnny Russell, who plays opposite Shirley Temple as Tyltyl, was brought to New York last week for a series of air appearances. He was featured on the Coast-to-Coast "We the People" program and was featured guest on Adelaide Hawley's "The Woman's Page," a nationwide broadcast. Last night just before the premiere, Russell was on Uncle Don's show on WOR-Mutual.

On Kostelanetz Program

In addition, the Andre Kostelanetz program Feb. 2 will be dedicated to "The Blue Bird" in which music from the film will be featured, with the high spot being Tony Martin's rendition of "Somewhere I'll Find My Blue Bird." A congratulatory telegram from Shirley Temple will be sent the night of this broadcast to be read on the air.

The national magazine campaign includes full color advertisements in *Life, Liberty, Ladies Home Journal* and *Parents Magazine,* in addition to the back cover of *Scholastic.* Full page ads were also placed in the March and April issues of all fan magazines, appearing on the newsstands beginning March 10. Arch Reeve is in charge of the advertising features of the campaign.

Newspaper, Billboard Campaign

The newspaper campaign in New York opened last Friday, 140 lines on five columns, for the world premiere. Art was used sparingly in the metropolitan newspaper ads. The New York campaign is to be followed exactly for the reserved seat dates in San Francisco and Detroit, among others. Lineage on the New York campaign runs approximately 2,800 lines in each metropolitan paper.

The billboard campaign includes 200 24-sheets. Large displays on highlights from the picture, tieing up with the book, have been sent to libraries throughout the country.

Window displays have been arranged wtih Macy's and other large department stores in New York as well as in Detroit and San Francisco for the two-a-day engagements in those cities.

Four special editions of the Materlinck book are being issued at popular prices and will be sold in department, drug and book stores. Dodd, Mead & Co. is issuing two editions, and the others are being published by Grosset & Dunlap and Whitman Publishing Co.

"The Blue Bird"

[20th Century-Fox]

(Continued from page 1)

leader, and such dependable names to adorn the marquee as Spring Byington, Nigel Bruce, Gale Sondergaard, Eddie Collins, Al Shean and Laura Hope Crews.

But this is not, as has been so often true in the past, Shirley Temple's picture. It is Maeterlinck's "The Blue Bird," brought to the screen with infinite artistry.

The story must be familiar to all. Shirley is Mytyl, selfish, always unhappy in her lot and always wanting more than her portion. She and her litle brother, Tyltyl, played by Johnny Russell, dream of a visit from a fairy, who sends them in search of the blue bird, symbol of happiness and contentment. Guided by another fairy, Light, accompanied by the dog and the cat which have been transformed into animal-like human form, they start their dream search. Collins and Miss Sondergaard, as the dog and cat, respectively, offer delightful performances.

In turn they visit the past, finding their dead grandparents in a flower-filled garden; Mr. and Mrs. Luxury in their ornate palace, where there is no happiness. They are lured into the woods by the cat, who seeks to have them destroyed by a forest fire. The latter scene provides the high spot of the picture's sound and color. Then they are led into the future, there to find the unborn children of tomorrow.

It is only upon their return to their home that they find true happiness, and the little bird in the cage at home is blue in their eyes. Her selfishness gone, Mytyl helps her little friend, and finds her contentment at home.

Running time, 81 minutes. "G."*

**"G" denotes general classification.*

Zanuck Urges Contracts With Longer Play Clause

(Continued from page 1)

largest negative cost in the history of the organization, Zanuck said.

Fourteen films on this season's program are budgeted at a million or more, he continued, and next year's budgets will be comparable. "Jesse James" and "Alexander's Ragtime Band" were the biggest grossers the company ever had, both doing about the same business.

Next season's program will continue to feature historical and biographical material, with a sprinkling of musicals. The "Charlie Chan" and other series films will be continued.

Zanuck said that the big films have been given longer playing time by first runs and a number have been played as single bills, citing that "Alexander's Ragtime Band" was played singly in 95 per cent of the country.

Radio contracts of all 20th Century-Fox players have been purchased by the company, except that of Don Ameche, said Zanuck. While the company opposes the indiscriminate air appearances of its stars, its policy is to make full use of radio to exploit selected films, said Zanuck.

Air programs will continue to feature players in highlights of their films unless production schedules prevent. As an example of the policy, he cited the "Little Old New York" exploitation on the "Good News" program next Thursday night.

Meeting the Hollywood party at Grand Central station were Sidney R. Kent, 20th Century-Fox president; Herman Wobber, general sales manager; Spyros Skouras, head of National Theatres; Joseph Moskowitz, Eastern production representative; Charles E. McCarthy, advertising and publicity director; Harry Brand, studio publicity chief, and Rodney Bush, exploitation manager.

The arriving group included Gene Markey, associate producer of "The Blue Bird;" his wife, Hedy Lamarr, and Mrs. Zanuck. A crowd of several hundred persons were in the station lobby awaiting the Twentieth Century from Chicago. The train, which was due shortly before 9 A. M., was more than two and a half hours late because of the weather.

War Costing $7,500,000 A Year to 20th Century-Fox

The war situation in Europe is reducing the 20th Century-Fox gross at the rate of $7,500,000 a year, according to Joseph M. Schenck, 20th Century-Fox board chairman. In the last few weeks the domestic gross has improved, he said.

Schenck said that the producers would not be averse to breaking the ranks and permitting some of the companies to ask for a reduction when the 10 per cent increase granted studio unions last Fall comes up for arbitration Feb. 15.

However, Schenck said he did not know whether this would be possible under the labor regulations. The unions have agreed to rescind the increase if the companies can show it is unwarranted.

The company's British production is scheduled to resume in March when Robert T. Kane, production executive, will return to England, said Schenck.

If the weather is favorable, Schenck plans to leave next week for Miami to visit his brother, Nicholas M. Schenck, president of Loew's. Otherwise he will leave for the Coast next Friday.

Majors Attack Vineland Writ, Brand It Illegal

(Continued from page 1)

hibitors would be first to place the industry on a public utility basis and secondly, to control the entries of exhibitors into the field.

Judge Fitzpatrick's decree, he argued, is predicated on the business being a public utility which it isn't.

"The decree is a mandatory decree designed to regulate the picture business in Vineland," said Schnader in attacking its constitutionality, "and is not an injunction. The decision deprives distributors of the right to choose its customers and under the Sherman act, the only time when it is not lawful to choose customers, is when they would conspire with one another to hurt another customer."

For an answer to the case, Schnader urged the jurists to read the distributor contract with Warner Brothers.

"The only thing the same in them," he said, "is that they all sell motion pictures and that they all sell to Warner Bros., but all the agreements are so different that it is a distortion of fact to deduct from them a nature of conspiracy."

Denies Coercive Powers

Pointing out that while the Landis was being built, Paramount was the only distributor to increase the licensing of pictures for first runs at Warner's Globe and Grand in Vineland, and that Universal gave the Landis more first runs than to Warners, Schnader argued that "If Warner Bros. has coercive powers over distributors, there is no evidence to indicate it here."

Schnader further contended that Judge Kirkpatrick's decision was predicated on the false premise presented by the plaintiff that distributors sell to theatres and not individuals.

"It is an independently-arrived at policy of selling," he said. "If it is a conspiracy, then all the directors of the distributing companies are perjuring themselves."

Injunctive, Not Mandatory Relief

Wolf, for Warners, also charged the decree of the lower court was unconstitutional, arguing that the anti-trust act permits only injunctive relief and not mandatory relief. Further he claimed that the decree was so ambiguous and indefinite that it is impossible to enforce it.

"From the decree," he said, "you can't tell what the distributor should do or should not do. Anything either side might do or not do could be a violation of the decree. The Sherman act says an injunction must be exact and specific and must tell what act or acts must be restrained. Besides, there was no evidence of injury to the Landis that would cause a preliminary injunction to be granted."

Senator Shapiro, in his arguments for the Landis, went back to the days of the Motion Picture Patent Corp. and General Films Co. in reviewing the structure of the motion picture industry as a monopoly. He urged the court to "destroy that monopoly as the courts did in 1916."

'Herbert' Hits Good $9,000, Denver Lead

DENVER, Jan. 19.—"The Great Victor Herbert" ran nearly 50 per cent above average at the Denham, and is being held for an extra four days at least. The snowstorm Friday hurt grosses, but as during the week before it helped to keep folks in town over the weekend.

Estimated takings for the week ending Jan. 17:

"Four Wives" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Hunchback of Notre Dame" (RKO)
BROADWAY—(1,040) (25c-35c-40c)) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"The Great Victor Herbert" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $6,500)
"Destry Rides Again" (Univ.))
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,500. (Average, $9,000)
"Balalaika" (M-G-M)
"Reno" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $10,000. (Average, $9,000)
"A Child Is Born" (W. B.)
"On Your Toes" (W. B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)
"Swanee River" (20th-Fox)
"Man They Could Not Hang" (Col.)
RIALTO—(878) (25c-40c) 7 days, "Swanee River" 3rd week. Gross: $2,000. (Average, $1,750)

Launch Newsreel Featuring Illinois

CHAMPAIGN, Ill., Jan. 19.—The Illinois News, a newsreel which will film subjects in Illinois exclusively, is expected to release its initial issue about March 1. The reel will be offered to Illinois exhibitors, it is planned, once a week thereafter.

Preview showings of the reel have been held at the Telenews, Chicago, and the Rialto here simultaneously. An introduction and four subjects comprised the contents.

Gordon Kamerer, former druggist here, is producer and editor. Orlando Lippert is handling the photography, and Burton Holmes Films, Inc., Chicago, the laboratory work.

'That's Right' Hits $14,000 in Detroit

DETROIT, Jan. 19.—"That's Right, You're Wrong" and "Allegheny Uprising" brought $14,000 to the Fox.

Estimated takings for the week ending Jan. 11:

"Swanee River" (20th-Fox)
"Scandal Sheet" (Univ.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Remember" (M-G-M)
"The Roaring Twenties" (W. B.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"That's Right, You're Wrong" (RKO)
"Allegheny Uprising" (RKO)
FOX—(5,000) (20c-55c) 7 days. Gross: $14,000. (Average, $12,000)
"Eternally Yours" (U. A.)
"Nick Carter, Master Detective" (M-G-M)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $12,000. (Average, $12,000)
"Geronimo" (Para.)
"All Women Have Secrets" (Para.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)
"Balalaika" (M-G-M)
"Call on the President" (M-G-M)
UNITED ARTISTS—(2,000) (15c-40c) 7 days. Gross: $10,000. (Average. $10,000)

London Reviews

"The Proud Valley"

(Associated British)

LONDON, Jan. 5 (*By Mail*).—Though its material has a familiar ring—and will recall for many "The Citadel" and "The Stars Look Down"—this dramatic and emotional story of Welsh coal mining has many qualities lacked by its more eminent predecessors.

A story of a pit which was closed because of a disaster and which is opened again only by the resoluteness and determination of its miners may lack invention. It does not lack conviction. Here, with Negro Paul Robeson as its central character, a pitman who gives his life to blast his pals to freedom, it has the ring of real life, with comedy and tragedy, the pride of the Welsh and their music and idealism. There is a pit disaster, too, which is not only exact in detail but compelling in its dramatic force.

Feminine appeal is strong, for the film does not gloss over the tragic role of the miner's wife and mother, or ignore the bitter pangs of unemployment and the struggle of families to live. There is music, too, with Robeson's magnificent voice unifying the choral passages, romance, realism and above all, intense human sympathy. The characters are natural.

Robeson is of course the stellar name, but the part played by Edward Chapman as the singing miner who befriends him, and by a newcomer, Rachel Thomas, as the latter's wife, add to the personal appeal. Production values are high.

Running time, 77 minutes. "A."* AUBREY FLANAGAN

**"A" denotes adult classification.*

"Spy for a Day"

(Two Cities—Paramount)

LONDON, Jan. 5 (*By Mail*).—Though Yorkshire droll Duggie Wakefield has played in films before, essaying a brief Hollywood episode, this, produced and directed by Mario Zampi, producer of "French Without Tears," is the first serious effort to make him a film star. It proves a by no means unsuccessful adventure, for properly handled, Wakefield, whose face alone is the essence of fun, proves to be a natural with a droll sense of pantomime and a sympathetic character as well. Audiences will take to him warmheartedly.

The comedy is a World War extravaganza about a country lad mistaken by enemy soldiery for a German spy, and then threatened with a firing squad by his own military. The fun revolves mainly around these misunderstandings and is often very amusing. At times the narrative wanders astray and might still be improved with a sharp pair of scissors, but Wakefield's encounters with a German military council, his romantic reminiscing with the German set to shoot him, and his inability to remember the name of a critical town, will raise laughs here.

Though certain studio passages smack of the studio the film's production values are satisfactory and the cast—few of them known outside England—up to their tasks.

Running time, 71 minutes. "G."* AUBREY FLANAGAN

**"G" denotes general classification.*

Club in Columbus Installs Officers

COLUMBUS, O., Jan. 19.—C. Harry Schreiber, RKO city manager, has been installed as chief barker of the local Variety Club. Others were: Virgil Jackson and Lou Holleb, first and second chief barkers, respectively; P. J. Wood, property master, and Jacob Luft, dough guy. The crew consists of Max Stearn, William S. Cunningham, Don Burrows, George Anagnost and M. J. Cullin, in addition to William C. Pullin, retiring chief barker, Jackson, Holleb, Wood and Luft.

Judge Arthur Day of the Ohio Supreme Court was toastmaster at the installation dinner and Gov. John W. Bricker, Mayor Floyd Green and former Mayor Myron B. Gessaman were guests of honor. Mayor Green and Don Powers, secretary to Gov. Bricker, were made members.

Illinois Women Law Does Not Hit Radio

SPRINGFIELD, Ill., Jan. 19.—The Attorney General of Illinois today ruled that women employees of radio stations do not come within the scope of the state women's eight-hour law. The law, enacted in 1937, prohibits women in certain businesses from working more than eight hours during any one day nor more than 48 hours in any one week.

In holding the act does not apply to radio stations, the Attorney General said the average radio station cannot be said to be a "place of amusement" within the meaning of the act, nor can it be classed as "telegraph or telephone establishment" even though it might occasionally be used as substitute for them. The opinion stated that whatever entertainment or amusement radio stations furnish is incidental to its business purposes.

Philadelphia Gives $18,000 To 'Balalaika'

PHILADELPHIA, Jan. 19.—"Balalaika" drew $18,000 at the Fox, despite strong competition from the weather and "Ice Follies of 1940."

Estimated takings for the week ending Jan. 12:

"Raffles" (U. A.)
ALDINE—(1,700) (32c-42c-57c-68c) 5 days, 3rd week. Gross: $7,100. (Average, $8,000)
"Judge Hardy and Son" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 3rd run. Gross: $3,400. (Average, $2,600)
"Four Wives" (W. B.)
BOYD—(2,400) (32c-42c-57c-68c) 5 days. Gross: $11,700. (Average, $13,000)
"Destry Rides Again" (Univ.)
EARLE—(32c-42c-57c-68c). Gross: $9,100. (Average, $14,000)
"Balalaika" (M-G-M)
FOX—(3,000) (32c-42c-57c-68c). Gross: $18,000. (Average, $13,000)
"Four Wives" (W. B.)
KARLTON—(1,000) (32c-42c-57c-68c) 2nd run. Gross: $5,900. (Average, $3,000)
"Swanee River" (20th-Fox)
KEITH'S—(2,200) (32c-42c-57c-68c) 2nd run. Gross: $4,600. (Average, $3,500)
"Hunchback of Notre Dame" (RKO)
STANLEY—(3,700) (32c-42c-57c-68c) 2nd week. Gross: $9,800. (Average, $14,000)
"A Child Is Born" (W. B.)
STANTON—(1,700) (32c - 42c - 57c - 68c) Gross: $6,900. (Average, $4,500)

Stage Show, 'Lawyer' Milwaukee Leaders

MILWAUKEE, Jan. 19.—A blizzard followed by sub-zero weather hurt grosses with "Main Street Lawyer" on the screen and "A Night at the Moulin Rouge" on the stage connecting for $15,400 at the Riverside, the only house to exceed average.

Estimated takings for the week ending Jan. 18:

"The Amazing Mr. Williams" (Col.)
"Blondie Brings Up Baby" (Col.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $3,500. (Average, $4,000)
"Main Street Lawyer" (Rep.)
RIVERSIDE—(2,700) (30c-40c-55c) 7 days. Stage: "A Night at the Moulin Rouge." Gross: $15,400. (Average, $6,500)
"Balalaika" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
"The Hunchback of Notre Dame" (RKO)
STRAND—(1,400) (25c-35c-50c) 5-2 days, split week. Gross: $1,100. (Average, $1,500)
"A Child Is Born" (W. B.)
"Invisible Stripes" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $4,500)
"Swanee River" (20th-Fox)
"The Honeymoon Is Over" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $4,400. (Average, $5,500)

Alliance Closes Deal

Budd Rogers, vice-president and general manager of Alliance Films Corp., has closed a franchise deal with H. J. Peskay of the Majestic Distributing Corp. for the release of 12 Alliance features and a number of shorts in the California territory.

'Susan and God' Stars

Joan Crawford and Fredric March will be co-starred in M-G-M's adaptation of the Broadway stage play, "Susan and God." Hunt Stromberg will produce and George Cukor direct.

Retitle French Film

French Cinema Center, Inc., will release the French film, "Jardin de Murcie," in the United States under the title, "Heritage."

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Halt Games On Air, Theatres In Plea to U. S.

Protest to F.C.C. Attacks 'Pot o' Gold' Program

Detroit, Jan. 21. — Co-Operative Theatres of Michigan launched a drive yesterday to obtain Federal intervention to eliminate "Pot o' Gold" and other similar prize money stunts from radio programs.

Thomas McGuire, an official of the organization, filed a formal protest with the Federal Communications Commission in Washington attacking the programs as violations of Sections 316, the anti-gambling section of the Communications Act.

"Any program which does so much harm as this program does to theatre owners is not of public convenience or necessity and should be taken off the air," McGuire's protest said.

The theatre organization is also conducting a drive among exhibitors to protest by letter to F.C.C. and to Congressmen against the prize money programs.

Television Wages Showdown Nears

With an apparent breakdown of peace plans between Actors Equity and American Federation of Radio Artists on television organization plans, a showdown is expected tomorrow. At the Equity council meeting, Emily Holt, A.F.R.A. executive secretary, and Kenneth Thomson, Screen Actors Guild, are scheduled to appear to discuss the issue.

Equity officials had believed that a compromise had been effected last Wednesday when A.F.R.A. delegates to a joint committee had agreed upon

(*Continued on page 9*)

'39 Admission Tax Yield Exceeds '38

Washington, Jan. 21.—December admission tax collections totaled $1,974,534 and, despite the fact that in six months of the year revenues were below the corresponding period of the preceding year, brought the total for 1939 almost $215,000 above that of 1938, it was reported by the Bureau of Internal Revenue.

The December collections were shown by the bureau to have been $143,000 under the $2,117,644 reported for November and nearly $46,000 under the $2,020,376 returned in De-

(*Continued on page 2*)

'Lincoln' Premiere Tonight Brings Out Elite of Washington

Washington, Jan. 21. — World premiere of "Abe Lincoln in Illinois" at the RKO Keith's here Monday night is scheduled to give the Capitol a generous taste of Hollywood—and New York—showmanship.

With the two entertainment capitals collaborating and Washington's own celebrities ready and willing to face the searchlights and microphones, sufficient local interest in the picture's opening has been generated to put seats at a premium—even balcony seats.

In the gallery will be such local luminaries as Secretary of Agriculture Henry A. Wallace, Secretary of the Navy Charles Edison, Major General Thomas Holcomb, Donald Richberg, Senators Sheridan Downey and Francis T. Maloney, and numerous representatives, diplomats and local society figures.

The event is sponsored by the Newspaper Women's Club of Washington, with Mrs. Eleanor Roosevelt as patroness. Raymond Massey, star of the film; Ruth Gordon, Mary Howard and John Cromwell will supply the professional glamour, and Max Gordon and Harry Goetz, the producers, will represent Broadway and Hollywood.

A. W. Smith, RKO sales execu-

(*Continued on page 2*)

Philadelphia Film Men in Neely Split

Philadelphia, Jan. 21.—The two local exhibitor organizations are divided on the Neely bill.

The United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, at a meeting Friday, went on record against the bill and urged that members write their Congressmen to vote against the measure when it comes up for passage.

The Allied Independent Theatre Owners of Eastern Pennsylvania, in line with Allied's national policy, has passed a resolution in favor of the Neely bill.

Writers Vote Jan. 29 On Neely Bill Stand

Hollywood, Jan. 21.—Abram Myers, general counsel for Allied States, and a representative of the Hays office have been invited to speak on the Neely bill at a mass meeting of the Screen Writers Guild Jan. 29 at the Hollywood Roosevelt Hotel. The Guild will take a ballot on the Neely bill at this meeting.

'Little Foxes' Next Film by Goldwyn

Samuel Goldwyn Saturday purchased film rights to the Broadway stage hit, "The Little Foxes," and will start production in the near future.

Lillian Hellman, author, left for the Coast over the week-end to do the adaptation. William Wyler will direct.

The two weeks' notice to Goldwyn's Coast employees, effective Feb. 3, was described here as the usual procedure between productions. Goldwyn is now finishing "The Westerner."

Three GN Officials To Testify Today

Earle W. Hammons, former president of Grand National Pictures; Harold Saxe, comptroller, and Norman C. Nicholson, general counsel, will take the stand today before Referee Peter B. Olney, Jr., to testify on the company operations before liquidation.

At a creditors' hearing Friday George Blake, secretary and director of G.N., was questioned about two chattel mortgages on Western studio equipment given to the National City Bank for a loan of $25,000. Blake also described the basis of computing G.N.'s trade names and reissue rights at a valuation of $1,068,922.

Producers have secured the return of seven films from G.N., it was learned. A number of other producers have filed applications for immediate return of their pictures.

Pay Tribute to Duffy At Noon Wednesday

Memory of Father Francis Duffy, chaplain of the old 69th Regiment, will be honored Wednesday noon at a ceremony in front of the Duffy statue in Times Square, as part of the Regiment's reunion. At the Waldorf-Astoria dinner that evening, Warners' "The Fighting 69th" will be screened.

James Cagney and Pat O'Brien, stars of the film, will be present at the ceremony, which will be broadcast over the CBS network by Kate Smith, who will participate. Hollywood newspaper men, arriving by plane from the Coast, also will be present. O'Brien and Col. William J. Donovan will speak on a CBS network tomorrow from 9 to 9:30 P.M.

Will H. Hays, president of the M.P.P.D.A., will be one of the guests at the Wednesday evening dinner. Cagney, O'Brien and Jack L. Warner, vice-president, arrive today.

Court Victory Spurs Schine Expansion Aim

Early Date for Anti-Trust Suit Is Probable

Buffalo, Jan. 21.—Having scored an important Federal Court victory against the government in its anti-trust action, the Schine circuit intends to proceed with its expansion program despite the displeasure of the Department of Justice, it was indicated over the week-end.

Federal Judge John Knight, one of the most thorough and exacting U. S. magistrates in the East, last week used several thousand words to explain why the Department of Justice should not be permitted to assume guilt before it is proven.

Judge Knight rejected the Government's request for an injunction to prevent the Schine circuit and distributors from acquiring new theatres while the anti-trust suit is pending. Major companies have been reported pledged to the Government not to enlarge their operations before the trust suits come to trial.

It is probable that the local anti-trust trial date will be determined within the next few weeks.

In refusing to clamp down on Schine activities before the trial begins, Judge Knight reviewed a score of decisions in this and other districts in which questions of a similar parallel were at stake.

One denial in Schine's demand for a new bill of particulars found Judge Knight declaring the paragraph in question does not allege that Schine defendants are engaged in interstate commerce.

Judging of Quigley Awards Set Jan. 30

The sixth annual judging for the Quigley Awards conducted by Managers' Round Table of *Motion Picture Herald* will be held on Jan. 30, at the Hotel Astor. Invitations have been forwarded by A-Mike Vogel, chairman, to members of the Judging Committee to participate in the voting for the Silver and Bronze Grand Awards. Winners are to be selected from among the entrants making the best records in the 1939 competitions.

Presentation of the Grand Awards will take place in Hollywood late in February or early in March. The theatremen chosen for the year's top honors will be guests of Managers' Round Table on the trip and during their stay in Hollywood.

News Notes From Studios on Coast

HOLLYWOOD, Jan. 21.—Gov. Culbert L. Olson of California has accepted an invitation to attend the dinner being given Jan. 24 by members of the Rainbow Division at the Biltmore Hotel, Los Angeles, when Warners' "The Fighting 69th" will be screened. . . . Dale Van Every, who produced "Dr. Cyclops," eerie color picture for Paramount, is working on "The Purple Cloud," for early production. It is a story, written by English novelist M. T. Shiel about 1900, of a civilization underground.

Patric Knowles has been given a term contract at RKO. . . . Complete cast of RKO's "Curtain Call" has been set as Barbara Read, Helen Vinson, John Archer, Alan Mowbray, Donald MacBride, Frank Faylen, Tommy Kelly, Ann Shoemaker, Ralph Forbes, Dick Hogan and Norman Mayes. The picture marks the production debut of Howard Benedict. Frank Woodruff makes his bow as a film director on the film. . . . Jane Clayton, one of the hits of the current Theatre Alliance show "Meet the People" in Hollywood, has been given a term contract by Warners.

Philly Musicians To Get Strike Aid

PHILADELPHIA, Jan. 21. — Strong financial support will be contributed by the American Federation of Musicians to the local Musicians union, Local 77, in its strike against Warner Bros. houses.

Word to this effect was received here yesterday from Miami, where Anthony Tomei, Frank Liuzzi and A. Rex Riccardi, past president, president and secretary, of the local, respectively, flew last week to confer with Joseph Weber, national president.

Publicists Expect Pact During Week

HOLLYWOOD, Jan. 21.—Committees of the Screen Publicists Guild and producers met over the weekend to study further clauses of the bargaining contract which in some phases has been rejected by leaders of the publicity men. Producers' attorneys had drafted a pact, but William Edward, president of the Screen Writers Guild, said certain clauses did not conform with expectations. An agreement over the final form is considered likely this week.

Elite of Washington To 'Lincoln' Tonight

(*Continued from page* 1)

tive, and S. Barret McCormick, advertising and publicity director, will represent the company. Trade paper representatives and newspaper critics will attend. A special broadcast over the N.B.C. Blue network will be staged from the lobby of the theatre.

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Critics' Quotes . . .

"JUDGE HARDY AND SON" (M-G-M)

Latest in the deservedly popular Hardy Family series, "Judge Hardy and Son," has the same humorous and down-to-earth appeal as its predecessors.—**Rose Pelswick, N. Y., Journal and American.**

The Hardy pictures continue to be the best of the series films. This is not the best of the Hardy pictures. . . . The Hardys draw heavily on the improbable. . . . They are still nice people to meet again.—**Eileen Creelman, N. Y. Sun.**

"Judge Hardy and Son" is produced with the same qualities, good taste, homey humor and naturalness that have prevailed in this series.—**Wanda Hale, N. Y. Daily News.**

It's a touching family occasion. . . . Everybody, of course, gives a beautiful performance.—**N. Y. Times.**

Although this is not the best of the Hardy series, Mickey Rooney, Lewis Stone and the Hardy formula, which is strictly adhered to, all add up to make it a good picture.—**Lee Mortimer, N. Y. Mirror.**

The Hardys turn serious in "Judge Hardy and Son," and tragedy almost cracks down on the happy family. . . . A little more humor would have helped, but essentially it has the forthright, homey quality that the average film fan has come to delight in.—**Robert W. Dana, N. Y. Herald Tribune.**

"REMEMBER THE NIGHT" (Paramount)

Slick performances by Barbara Stanwyck and Fred MacMurray and a script that's written and directed with genuine humor and warmth, make this an immensely likeable piece.—**Rose Pelswick, N. Y. Journal and American.**

"Remember the Night" is fresh, is brightened with good lines and situations and the performances stand up to the script.—**Archer Winston, N. Y. Post.**

With as unlikely a story as you could ask, "Remember the Night" turns out to be the pleasantest surprise offered for quite a while. . . . A light comedy that gradually develops into believable and moving drama.—**Eileen Creelman, N. Y. Sun.**

It is sticky, syrupy, sentimental stuff, but it is played and directed with such charm that it becomes glowing and heart-warming instead of sickening entertainment.—**William Boehnel, N. Y. World-Telegram.**

"Remember the Night" is the real curtain-raiser of 1940. It is a memorable film, in title and in quality, blessed with an honest script, good direction and sound performances.—**Frank Nugent, N. Y. Times.**

"Remember the Night" is the surprise package of the new film year. . . . Something out of the ordinary run of films. Neither Barbara Stanwyck nor Fred MacMurray has ever given a better performance.—**Kate Cameron, N. Y. Daily News.**

A sure-fire hit. . . . Barbara Stanwyck at her magnificent best. . . . The action is consistently fast.—**Lee Mortimer, N. Y. Mirror.**

Familiar material has received a fresh and beguiling outline in "Remember the Night." . . . An entertaining compromise between realism and nonsense.—**Howard Barnes, N. Y. Herald-Tribune.**

An excellent cast and Mitchell Leisen's direction make this a moving and quietly humorous drama.—**Newsweek.**

'Balalaika' Scores $6,600 Omaha Lead

OMAHA, Jan. 21.—"Balalaika" pulled $6,600 at the Omaha with general theatre business slow.

Estimated takings for the week ending Jan. 17-18:

"Flying Deuces" (RKO)
"Meet Dr. Christian" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $3,100. (Average, $4,000)
"Balalaika" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,600. (Average, $6,000)
"Charlie McCarthy, Detective" (Univ.)
"Cisco Kid and the Lady" (20th-Fox)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $7,100. (Average, $7,600)

Lubitsch, Dieterle Confer With Mayor

Ernst Lubitsch and William Dieterle conferred with Mayor LaGuardia at City Hall on Friday.

The Mayor described the visit as "merely social," but the film men said there had been an exchange of views on Eastern production. Both declined to elaborate on the statement.

Favors Lotteries Operated by State

ALBANY, Jan. 21. — Assemblyman Aaron Goldstein, who introduced the Bingo bill in the N. Y. state legislature, today proposed an amendment to the State Constitution to permit state operation of lotteries for a long range health program.

Senator Thomas Desmond today introduced a new bill for the regulation of outdoor advertising, and Senator Perry of New York offered a measure intended to stop the unlicensed recordings of artists from radio broadcasts, made without their knowledge. The bill passed the Senate last year, but was killed in the Assembly.

Give Boston Testimony

BOSTON, Jan. 21.—Thomas Donaldson of the Metro Division in Connecticut and formerly with the Boston group, John Dervin of United Artists in Boston, and Richard Dobbyn of the Maine and New Hampshires Theatres testified Friday in a short session of the master's hearing of the Morse & Rothenberg anti-trust suit against the film companies.

Vallee Will Learn Art of Producing

Rudy Vallee, who recently joined Republic as associate producer, will spend three months at the studio becoming familiar with production before getting his first assignment, according to the home office.

Vallee tentatively is scheduled to produce "Hit Parade" with Frances Langford, starting April 15, and he may appear in the film as well.

The studio has decided on Bob Seton as the name of its new western star, and a cowboy actor to assume the name is being sought. The Bob Seton series will include six pictures. Three series of westerns of eight films each have already been announced for the current season.

Work on "Dark Command," big budget film, is scheduled for resumption Feb. 1, by which time it is expected Claire Trevor, who has the lead with John Wayne, will have recovered from her illness.

"Lady From New Orleans" is set to go in work early in March. Leads are being sought for "The Oomph Girl and the Cowboy."

'39 Admission Tax Yield Exceeds '38

(*Continued from page* 1)

cember, 1938, but nevertheless were the second highest for any month in the year, and brought the 1939 total to $19,876,312 as compared with $19,661,337 for 1938.

There was a wide range in month-to-month receipts, the April total of $1,384,722 being the highest for any month after January, 1938, while the November total was the highest for any month after December, 1937.

Figures of collections for 1939, by months, as compared with 1938, are shown in the following table:

	1939	1938
January	$1,564,134	$1,353,415
February	1,503,127	1,659,640
March	1,606,996	1,773,075
April	1,384,721	1,541,517
May	1,605,987	1,394,659
June	1,491,260	1,624,453
July	1,534,249	1,618,813
August	1,513,468	1,425,062
September	1,852,256	1,668,827
October	1,727,931	1,596,367
November	2,117,644	1,985,127
December	1,974,534	2,020,376

Cameo Fights Censors

The Cameo Theatre has obtained an injunction restraining the State Board of Censors from interfering with the showing of the Hungarian film, "Life on the Hortobagy." A hearing is scheduled Friday in Supreme Court.

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Theatre and Personnel Notes

Wometco Shifts Managers

MIAMI, Jan. 21.—The Surf Theatre, recently taken over by the Wometco circuit, will open shortly with Harvey Fleischman, former manager of the Cameo, as manager. Other shifts in Wometco personnel include: Stanley Stern, former manager of the Miami, to manager of the Cameo; Mark Chartrand, former manager of the Mayfair, to manager of the Miami; Earl Potter, former assistant manager of the Miami, to manager of the Mayfair, and J. C. Faircloth, former assistant manager of the Tower, to assistant manager of the Miami.

Open Theatre on Beach

ST. PETERSBURG, Fla., Jan. 21.—The $50,000 Beach Theatre, first playhouse on the beaches, has been opened here. F. L. Alig, Jr., president of Beach Amusements, Inc., has been named manager.

Plans Kansas House

KANSAS CITY, Jan. 21.—A new $20,000, 400-seat theatre will be constructed at Burlington, Kan., by Warren Weber, western Kansas exhibitor, and A. J. Simmons, formerly exhibitor at Lamar, Mo.

Mednikow N. S. S. Salesman

CHICAGO, Jan. 21.—John Mednikow, formerly with Trailer-Made, has been named a city salesman for National Screen Service instead of sales manager, as previously reported.

Open in Evansville, Ind.

EVANSVILLE, Ind., Jan. 21.—Fine Brothers have opened the Columbia, another Premier Neighborhood house. It seats 650.

Build Cincinnati Drive-In

CINCINNATI, Jan. 21. — Midwest Drive-In Theatres, Inc., Boston, shortly will start work on the first drive-in theatre in this area, to be built on a 14-acre suburban tract, at a cost of between $50,000 and $60,000. There will be accommodations for 500 automobiles.

Salesmen Change Places

OMAHA, Jan. 21.—Daniel Matin, RKO salesman here, has been transferred to the Des Moines branch, changing places with E. E. Gruenberg.

Close for RCA Equipment

The following theatres have closed for the installation of RCA Photophone sound equipment: Grand at Bluffton, the Hines at Portland and the Centennial, Warsaw, all in Indiana; Cine Roma, New York; New, Madawaska, Me.; Lyric, Clearfield, Pa.; Metro, Schenectady, N. Y.; Clair, Albany, Ga., and Laurel, Johnstown, Pa.

Open New Atlanta House

ATLANTA, Jan. 21.—The Plaza, a new Lucas & Jenkins house, has been opened in the newly developed Briarcliff trading center.

Feature Reviews

"Congo Maisie"

(M-G-M)

HOLLYWOOD, Jan. 21.—Exhibitor comment hailed "Maisie," an M-G-M picture, as a "sleeper" hit, so the studio again presents Ann Sothern, who played the title role, in another picture depicting further the adventures of an ex-vaudeville performer. This time, the locale, which in the first picture was a Wyoming dude ranch, is on the West Coast of Africa.

Taken from the book, "Congo Landing," by Wilson Collison, the screenplay by Mary C. McCall, Jr., is patterned to give the curvaceous Miss Sothern ample opportunity to display her talents, histrionic and otherwise.

The story is good, if not altogether spotless, fun. "Maisie," stranded in a coast town, stows away on a river boat bound for the interior. Having been refused help by the other passenger, a doctor who gave up his profession to raise rubber, she spurns the rough advances of the captain. Following an accident to the ship, "Maisie" and the doctor, played by John Carroll, trek to a jungle medical station manned by Shepperd Strudwick. After Carroll flirts with Strudwick's wife (Rita Johnson), the climax comes when natives, aroused by a witch doctor, attack the post. "Maisie," dressed in a vaudeville costume, routs the natives with tricks of magic and chanting the "St. Louis Blues" while swaying sinuously. Carroll returns to medicine and the understanding is that "Maisie" will wed him.

J. Walter Ruben produced the picture and Henry C. Potter directed. Running time, 70 minutes. "A."* VANCE KING

"The Saint's Double Trouble"

(RKO)

HOLLYWOOD, Jan. 21.—Continuing the screen adventures of the character created by Leslie Charteris in his "Saint" mystery books, "The Saint's Double Trouble" places George Sanders in the dual role of the detective and a diamond smuggling murderer.

The complexities of the plot are at times detrimental to the actionful suspense upon which the success of the series rests, although the screenplay by Ben Holmes provides many moments of audience excitement. As produced by Cliff Reid, with Lee Marcus as executive producer, the picture is appropriate for those situations already proved receptive to the characters it portrays.

Jack Hively's direction keeps the two main roles in constant flux as a means of maintaining an even key of audience reaction. Helene Whitney, as the romantic interest, Jonathan Hale, as a detective and admirer of the "Saint," and Bela Lugosi as the partner of the murderer, contribute to the picture with understanding performances.

Running time, 65 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

"Motel the Operator"

(Cinema Service)

Based on Yiddish stage play of the same name, "Motel the Operator" should have considerable appeal in neighborhood houses which play to Yiddish-speaking audiences. Although frequently brightened by touches of homely humor, the story is a tragic tale of heartbreak and parental sacrifice.

Chaim Tauber, who wrote the play and its screen adaptation, is cast in the title role of Motel. During a strike against sweatshop conditions before the war, Motel is injured. Upon his return to his home, he finds that his wife has committed suicide and that his son Jackie has been adopted. The supervisor of the orphanage, in a plot to blackmail the foster parents, induces Motel to aid him.

Motel discovers that Jackie is his own son and kills the supervisor. In turn, the son (Seymour Rechtzeit), now a lawyer, successfully defends Motel. The latter promises the foster parents not to reveal the relationship. Highlighting the film is a wedding ceremony sequence conducted by Cantor Leible Waldman, which should prove popular.

Running time, 80 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

Heads New Syndicate

Mary Dougherty, former women's editor of the New York *Journal-American,* now heads her own syndicate for women features, the Dougherty Syndicate, Inc., with offices in the Paramount Building.

DeMille Casts Cooper

HOLLYWOOD, Jan. 21.—Gary Cooper has been set by Cecil D. DeMille for a leading role in "Northwest Mounted Police." Already cast are Joel McCrea, Madeleine Carroll and Robert Preston.

Short Subject Reviews

"Mighty Hunters"

(Schlesinger-Vitaphone)

Using, for the first time, oil instead of water color backgrounds, this first of the Schlesinger cartoons based on James Swinnerton's "Canyon Kiddies" has the universal appeal of the blandly satirical. Depicting a day in the life of the "Kiddies," familiar to readers of *Good Housekeeping,* they are shown here as they take to the hunt, with results primarily amusing. A saucy chipmunk, a bear hungry for a candy stick and a stubborn burro all contribute to the audience entertainment of the hunt, while the musical background is of a piece with the excellence of the animation, with such pieces as Ferde Grofe's "Grand Canyon Suite" used by the Vitaphone Symphony Orchestra. The subject should do much to enhance the already established popularity of the "Merrie Melodie" series. Running time, 8 mins.

"Pound Foolish"

(M-G-M)

"Pound Foolish" is another striking addition to the timely "Crime Does Not Pay" series. Based on the recent smuggling scandals involving many prominent personages, this reel describes the methods used to smuggle and sell jewels. An excellent cast, including Neil Hamilton, Lynne Carver, Gertrude Michael and Victor Varconi, carries the story through to a tense finish. Running time, 20 mins.

"Frankie Masters and Orchestra"

(Paramount)

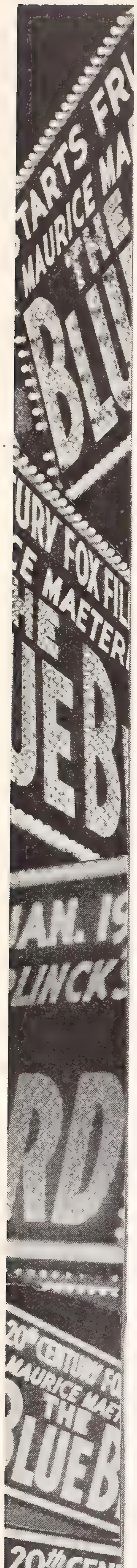
Frankie Masters and Orchestra go through their routine smoothly to add another subject to the Paramount Headliner series. Addicts of the popular dance and radio bands undoubtedly will find this one as acceptable as its predecessors in the series, albeit the uninitiated may find it difficult to distinguish one from another. Marian Francis assists vocally. Running time, 11 mins.

Loew's Action Settled

Stipulation settling the suit of the Convent Theatre Corp. and the Dorset Amusement Corp. against Loew's, Inc., has been filed. The action, which had been filed the same day, had asked for an order directing Loew's to comply with an alleged exhibition contract with the plaintiff theatre owners, by delivering the film "Goodbye, Mr. Chips" for exhibition. Loew's had refused delivery because of an unpaid balance for other films.

O'Brien on Latin Tour

HOLLYWOOD, Jan. 21. —George O'Brien, RKO outdoor star, is on a combined Central and South American pleasure and personal appearance tour. He will visit Colombia, Ecuador, Peru, Chile and Argentina. On his return trip O'Brien will make personal appearances in Buenos Aires and Rio de Janeiro.



““THE BLUE BIRD' APPEAL TO AUDIENCES AND PLACES! A mas tion, spectacular, rich

"There is comedy . . . pathos, too. Surprisingly emotional in its effect. Apt to bring out all the handkerchiefs in an audience. A picture with a charm of its own!" *—N. Y. Sun*

"Will enchant children and delight mature audiences! Brilliant fantasy . . . superbly projected to the screen." *—Film Daily*

HAS UNQUESTIONABLE
F ALL AGES, TYPES
terpiece of imagina-
in sentiment!"

—M. P. Daily

"Opulent and eye-filling spectacle . . . to beguile those of all ages who are lucky enough to see it. A pictorial gem . . . delightful!"

—N. Y. Daily News

"Colorful and enchanting. Sets are opulent, photography gorgeous. Should prove an enchanting adventure for the youngsters and their elders, too!" *—N. Y. Daily Mirror*

$900,000 Put Into Mexican Trade in 1939

By JAMES LOCKHART

MEXICO CITY, Jan. 21.—Mexico's picture industry attracted an investment of $900,000 during 1939, the highest outlay for any year in some time. Most of the money was spent for production and new theatres.

Examination with a view to making desired modifications is being made by the local municipal Government of regulations governing theatres, supervision of pictures and other paid public entertainments. Some of these regulations have been in effect for 25 years.

Asserting that the domestic picture industry is in such a precarious position because of the sharp slump in production that many of its workers face unemployment, the Cinematographic and Allied Workers' Union has petitioned President Lazaro Cardenas to act toward remedying the situation. Production last year was but 43 pictures. The petition declares that up to now the Government has done nothing appreciable for the picture industry.

It is no longer obligatory for exhibitors throughout Mexico to show at least three Mexican-made features a month, as the Senate passed a bill killing the Presidential measure making this demand. Numerous protests from exhibitors prompted the Senate action.

A special hospital for film workers has been established here by the National Cinematographic and Allied Workers' Union.

Colombia and Peru have forbidden exhibition of the Mexican picture, "El Indio" ("The Indian"), on the ground that it is Communistic.

Use 2-for-1 Coupons Despite Wichita Pact

WICHITA, Kan., Jan. 21.—Harold Gibbons of the New Theatre here has started using two-for-one coupons, but the practice is not expected by Wichita exhibitors to cause any complications in the functioning of their fair practice code, adopted in December and signed by all exhibitors.

Gibbons has indicated that he will accept the penalty of being set back one year after first run on pictures in connection with which he offers an admission reduction under his regular 15-cent price. The question has arisen as to whether or not film companies will permit Gibbons to pick out poorer films for his bargains and retain his regular spot with regular admission on top films.

Variety Club Sets Party

PITTSBURGH, Jan. 21. — The local Variety Club will stage a housewarming party the end of February to celebrate the opening of its new quarters at the William Penn Hotel. A new bulletin is being issued, with James M. Totman, assistant publicity director of Warner Tri-State theatres as editor.

Hollywood Review

"Adventure in Diamonds"

(Paramount)

HOLLYWOOD, Jan. 21.—A melodrama based on the activities of diamond thieves in South Africa, Paramount's "Adventure in Diamonds" presents George Brent as an army officer who helps Scotland Yard capture the thieves, with the aid of Isa Miranda, a regenerated criminal. Supporting players include John Loder, Nigel Bruce, Elizabeth Patterson, Ernest Truex and E. E. Clive.

The picture, directed by George Fitzmaurice, has two extremely interesting sequences, one showing the mining of diamonds in Kimberley and the other presenting for the first time on the screen a race between ostriches pulling sulkies.

Leonard Lee and Frank Schulz wrote the screenplay based on a story by Frank O'Connor.

The A. M. Botsford production mildly entertained the preview audience, high point of the comedy being the ostrich race. Miss Miranda, falling in love with Brent, agrees after imprisonment to aid in the capture of diamond smugglers. After a ruse, they become involved with the criminals and are exposed finally, but help arrives in the nick of time.

Running time, 74 minutes. "G."* VANCE KING

"G" denotes general classification."

Alaskan Exhibitor Must Have 7-Month Film Supply

HOLLYWOOD, Jan. 21.—There arrived in Hollywood last week an exhibitor who must have 125 features and 300 short subjects stacked in the vaults of his house by Sept. 27 or face the wrath of an irate community.

He is C. H. Code, who operates the only theatre in Nome, Alaska, and this is his first trip to Hollywood.

Code, an exhibitor since 1912, must have the films there by Sept. 27, date of the arrival of the last boat for the year, for the harbor is blocked for the following seven months by ice.

If the film is not there, delivery is impossible and the theatre will have no product for the seven months except that which is delivered by plane under extremely difficult and expensive conditions.

On the first boat from Nome in the Spring, the films are returned to the Seattle exchange, after unloading new product for the Summer months.

Indications of how Nome residents like their film fare appeared several years ago when his theatre burned to the ground. Promised that a new theatre would be erected in less than two months, some of the residents pitched in to lend a hand in building it.

When it looked as though the promise would not be kept, the rest of the town's inhabitants lent a hand, but threatened that they would tear the whole thing down if it were not completed by the time set.

The exhibitor, however, managed to keep the promise and on opening night the patrons sat on benches held together by far too few bolts. None collapsed, though, he said.

Here with Mrs. Code, the showman is visiting a niece, Mrs. Edith Pearcy of Monrovia.

Having exhibited Paramount pictures since 1912, he visited the studio for the first time this week. He disclosed to an amazed audience on the 'The Woman from Hell" set that he screened Adolph Zukor's first film, "Catherine the Great," in his Alaskan theatre.

"Residents of Nome, who are shut off from all physical contact with the outside world for seven months each year except by plane, like all kinds of pictures," he said. "They are especially fond of Bill Boyd westerns. I can't get enough of them."

Last year, Code promised residents he would have a print of "Snow White and the Seven Dwarfs" by a certain time. When the picture couldn't be sent by boat, it had to be shipped there and returned by plane to Seattle.

Code is an extraordinary exhibitor. He doesn't have to worry about his programs; he can bill them seven months in advance, provided, of course, the last boat to Nome makes it. He doesn't have to worry about competition; he has the only theatre in the town.

And he can figure out, he said, his grosses for any month in the year ahead of time, for he knows approximately how many persons will be traveling through the community on their way from or to the gold fields or trap lines at any given time.

He plays a single bill policy, with three changes a week.

New Wilmington Law To Permit Standing

WILMINGTON, Del., Jan. 21.—The City Council has passed new fire prevention ordinance revamped to permit standing in the rear of theatres, banned in the original bill. Theatre managers' objections delayed passage for months.

The new ordinance orders two square feet of floor space per person. Clear passageways are required at all assemblages. Obstructions at doors and auto parking in front of theatres are barred. Passageways must be maintained on sidewalks.

Canada Extending Film, Air War Use

MONTREAL, Jan. 21.—Films, radio and newspapers will be used to a greater extent by the Canadian Government to inform the Canadian people of their war effort, the tasks which lies before them and the need for a lasting peace at the end of this war, according to W. D. Euler, Minister of Trade and Commerce.

Prime Minister Mackenzie King is fully behind the move. Creative work has been done under the auspices of the National Film Board. Contributions to the war cause have been made in such films as "Call to a Nation," and those recording the moving of Canadian troops.

The press and radio are being used, and presumably will be used to a greater extent in the future. A sample of propaganda work on the radio is given in two programs to be heard shortly. Tomorrow, the CBC networks will carry a program, "London After Dark," the first of a special series "With the Troops in England." Another program will be the story of Canada's Air Force, which will be told Jan. 26. An hour is being devoted to telling of the training of Canada's "war birds," as they pass through various stages of instruction.

AGVA to Organize In Frisco Feb. 20

SAN FRANCISCO, Jan. 21.—Organization of the local chapter of the American Guild of Variety Artists will be effected Feb. 20, with election of officers, according to acting secretary Vic Connors. The guild succeeds the American Federation of Actors, which lost its AFL charter to the new organization.

Members of the nominating committee are Lou Ashe, Don Francisco, Catherine Toomay, Jimmie Harvey, Vincent Avery, Buddy Bowen, Joe Johnson, Will Aubrey and Don Santos.

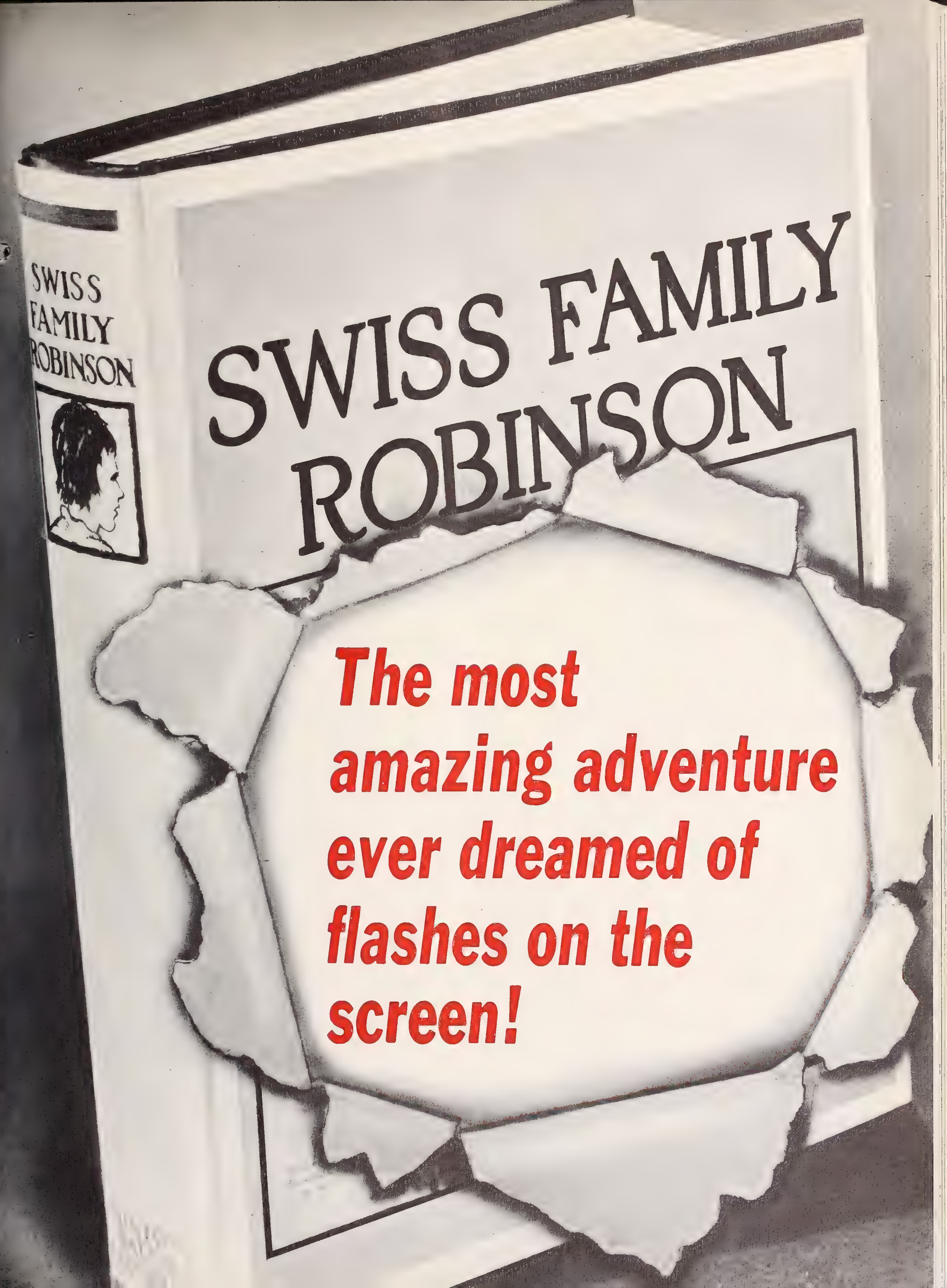
Modern Art Elects Museum Trustees

Henry Robinson Luce, chairman of the board of Time, Inc.; Mrs. John S. Parkinson, Jr., Alfred H. Barr, Jr., and John E. Abbott have been elected to the board of trustees of the Museum of Modern Art. Abbott was one of the organizers of the Museum's Film Library.

Douglas L. Baxter, former art director for 20th Century-Fox, has been appointed assistant to the executive vice-president of the Museum. Alistair Cooke, former film critic for the British Broadcasting Corp., has been named assistant to the curator of the Film Library.

News Competition

Chicago, Jan. 21.—All Loop theatres have placed emphasis on their newsreels in ads and lobby displays since the Telenews opened and they are also playing the short subjects featured at the Telenews, day and date, in many instances. The Telenews is Chicago's only newsreel house.


SWISS FAMILY ROBINSON
SWISS FAMILY ROBINSON
The most amazing adventure ever dreamed of flashes on the screen!

SWISS FAMILY ROBINSON

The things we stay-at-homes always dream about doing—THEY DID!...Here is their adventure, actioned to the screen with all the strange allure that made the book what it is!...Here is the one big, new show—different from anything you've ever shown before—that gives the MOVIES back to the moviegoers—and that means MONEY to any man's box office!

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THE PLAY'S THE THING
Production

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RKO RADIO PICTURES

with
THOMAS MITCHELL · EDNA BEST · FREDDIE BARTHOLOMEW · TERRY KILBURN · TIM HOLT BABY BOBBY QUILLAN

Directed by EDWARD LUDWIG
Produced by GENE TOWNE and GRAHAM BAKER
Screen Play by Walter Ferris, Gene Towne and Graham Baker

LITHO U.S.A.
3

Tips on Exploitation

Seek 'Scarlet O'Hara' For Charlotte Party

CHARLOTTE, N. C., Jan. 21.—In cooperation with the Carolina Theatre, the Charlotte *Observer* is seeking a local "Scarlett O'Hara" for the "Gone With the Wind" ball to be held at the Hotel Charlotte Jan. 26 and for the opening of the picture here Jan. 29. The winner will be announced the morning of the grand ball. The Charlotte "Scarlett O'Hara" must measure up to as nearly as possible the measurements of Vivien Leigh.

Foster Celebration Plugs 'Swanee River'

CAMDEN, N. J., Jan. 21.—For the showing of "Swanee River" at the Savar, the house joined with WCAM here to dedicate the week to the memory of Stephen Foster, marking the 76th anniversary of the death of the composer. Mayor George E. Brunner officially proclaimed the observance and all week the station will present daily a series of programs highlighting Foster's melodies.

Seek Indian Fighters To Boost 'Geronimo'

KANSAS CITY, Jan. 21.—In advance of the showing of "Geronimo," Jerry Zigmond of the Newman here ran a personal advertisement in the *Star,* asking that any person active in fighting against the famed Indian make himself known. A special showing is planned for them.

Repeated Ad Wording Used on 'Mr. Williams'

MILWAUKEE, Jan. 21.—Fox's Palace here used a newspaper ad layout to plug "The Amazing Mr. Williams" and "Blondie Brings Up the Baby," with the same copy shown on either side of the ad's center line. The caption read: "This all-comedy show . . . so good we had to tell you about it twice!"

Seeing Film Alone 'Dr. Jekyl' Stunt

KENOSHA, Wis., Jan. 21.—The Kenosha here exploited "Dr. Jekyl and Mr. Hyde" by offering to pay $5 to the first woman to sit in the theatre all alone with all the lights out at 12 midnight to see the picture.

17 Girls to Attend 'Seventeen' Preview

Seventeen of the prettiest and most popular 17-year-old girls from 17 cities of the United States will go to Hollywood Feb. 15 to attend a press preview of Paramount's "Seventeen," from the Booth Tarkington story. The girls will be guests of Paramount for the trip, with Jackie Cooper and Betty Field of the film's cast greeting them in Hollywood. Newspapers and exhibitors in the cities will cooperate in the judging.

Buy Remarque Novel

"Flotsam," a novel by Erich Maria Remarque, has been acquired from M-G-M by David L. Loew and Albert Lewin, who will begin preparations for production immediately. The picture will be their first for United Artists release.

Seal Films to Escape Los Angeles Censor

LOS ANGELES, Jan. 21.—City councilmen, who voted 10 to 4 to order preparation of an ordinance giving the Police Commission censorship authority over films and stage plays, over the week-end indicated that all pictures having the production code administration seal would not be included in the province of the Commission's powers if the measure is passed.

Norris J. Nelson, councilman from the Hollywood district who introduced the resolution asking for an ordinance which would authorize the Police Commission to close theatres having "lewd or immoral" film or stage presentations, brought the issue before the Council again Friday.

Nelson withdrew the original plan and said he would substitute this week a resolution along the same lines, but excluding all films having the production code seal.

Lens Film Boosts Screen Brilliancy

Invention of a metallic film, applied to projection lenses and increasing screen brilliance by more than 15 per cent, was announced over the week-end at Rochester by Bausch and Lomb Optical Co.

Rochester projectionists who tested this "revolutionary event in optics," reported a "marked improvement in image contrast and increased sharpness of focus," the company said.

The metallic coating which covers the projection lenses is four-millionths of an inch thick.

Loew's theatres in Rochester have ordered 25 new lenses to increase the screen brilliance for "Gone With the ind" showings, it was announced.

Television Wages Showdown Nears

(*Continued from page 1*)

immediate negotiations for television wage standards in return for a concession by Equity that A.F.R.A. and S.A.G. could participate in the conferences. However, the A.F.R.A. board refused to accept the agreement and failed to adopt a proposed basis for negotiations. Mrs. Holt refused to disclose the reasons for the board's failure to take action.

Thomson has indicated that he will back Equity on the issue of immediate negotiations as against A.F.R.A.'s stand that they should be delayed until next Fall. However, Thomson has also stated that his group would refuse to recognize Equity's television jurisdiction if a vote were taken at the present time. S.A.G. is not interested in acquiring such jurisdiction for itself, according to Thomson.

As part of the compromise agreement by the joint committee, Equity yielded to A.F.R.A. on the question of seeking a written contract. Instead, an oral understanding fixing a minimum for salaries at the present time will be sought. After A.F.R.A. obtains a renewal of its present contract, which expires in August, and television has had a chance to expand fuller, a written contract will be sought.

1st Negro Newsreel Company Organized

Chicago, Jan. 21.—America's first Negro newsreel company was organized here this week. Dwight L. Jones, president of Pioneer National Newsreel, said this company will service 1,000 theatres catering to Negroes or mixed audiences. A reel will be issued every 30 days. The initial reel has been completed. The new service starts Feb. 1.

Testimony at Odds, FCC to See Latest Television Devices

WASHINGTON, Jan. 21.—F.C.C. officials over the week-end arranged for visits to several television laboratories to see demonstrations of new developments in transmission and reception as discussed during a week of hearings on new television regulations.

The demonstrations were requested Friday by Chairman James L. Fly in order that the Commission might estimate the current position of the industry in evaluating the conflicting claims regarding the adequacy of the RMA standards around which most of the testimony and examination revolved.

F.C.C. Distributes 1939 Report Forms

WASHINGTON, Jan. 21.—The Federal Communications Commission has begun the distribution to broadcasters of the forms on which they must make financial reports for 1939 and which must be filed not later than April 15.

It was pointed out by commission officials that the schedules are fewer in number than for 1938 and are accompanied by detailed instructions designed to simplify the task of reporting.

Canada Broadcast Officials Meet Today

MONTREAL, Jan. 21.—Fifty private radio broadcasting stations in Canada will be represented at the annual convention of the Canadian Association of Broadcasters opening here tomorrow. T. A. Evans, secretary, said many matters, including performing right fees, will be discussed.

Sues Over Radio Show

Suit for $100,000 damages against the Knickerbocker Broadcasting Co., Inc., operator of WMCA, has been filed in N. Y. Supreme Court by Broadcast Producers of New York. Plaintiff claims to have created a radio series, "Makers of Man," and to have contracted to sell it to Emergency Shelter, Inc. Defendant is charged with stopping the sale and illegally asserting ownership of the program.

'Hawk' Role to Brenda

HOLLYWOOD, Jan. 21.—Brenda Marshall has been given the lead opposite Errol Flynn in "The Sea Hawk" at Warners. The role was originally assigned to Olivia de Havilland, who is now under suspension at the studio.

Radio Brevities

NOT to be outdone by the British Broadcasting Corp. which regularly broadcasts the chimes of "Big Ben" as a symbol of Britain's unity, WNYC will broadcast the chimes of the City Hall clock at noon each day, starting this noon. Difficulties with other clocks chiming in the same neighborhood has made it necessary to make a special recording of the bells and the transcription will be used for the actual broadcast.

Marsh Promoted at CBS

Allyn J. Marsh, who has been with the CBS sales department for 11 years, has been named assistant sales manager effective today, William C. Gittinger, vice-president in charge of sales, announced Friday. William H. Ensign, present assistant sales manager, will remain with the network's sales department with other responsibilities, Gittinger said.

Personalities in the News

Lanny Ross was tendered a birthday party at the Waldorf-Astoria over the week-end by friends including Andy Sannella, Dick Liebert, Jack Schaindlin, John Gordon and John (Oscar) Wellington. . . . Maureen O'Hara will appear as Hedda Hopper's guest star today, Wednesday and Friday in a dramatization of her own life. . . . Ginger Rogers and Joel McCrea will be co-starred in a radio adaptation of "Bachelor Mother" tonight over CBS. . . . William Ray, manager of NBC's Chicago publicity office, returned to Chicago over the weekend.

KMPC Dedication Tonight

Bing Crosby, Charles Correl, Freeman Gosden and Harold Lloyd will participate in a dedicatory program over KMPC, Los Angeles, tonight when the station becomes an optional CBS outlet. Paul Whiteman, who became a KMPC director with the four above-named last week, will be heard via a recording. S. G. Richards, principal owner of KMPC, as well as of WJR, Detroit, and WGAR, Cleveland, also will speak.

"Girl Interne" for 4th Year

General Foods has renewed "Joyce Jordan, the Girl Interne" for an additional year. The show has been on CBS for three years. The time will be changed to 2:15 P.M., Mondays through Fridays, and a re-broadcast for the West Coast will be added at 6:30 P.M. Fifty-three stations will be used.

One Minute Interview

"More than one-third of all radio programs are transcribed. It is reasonable to believe that when television becomes further advanced, whether as a network or as individual stations, a large part of programs will consist of films, which will be to television what records are to radio," says E. A. Hungerford, Jr., in charge of film programs for NBC television.

WEAF · WNAC · WTIC · WJAR · WTAG · WCSH
KYW · WDEL · WFBR · WRC · WGY · WMAQ
WTAM · WWJ · W · WCAE · WBEN
KSD · WTMJ · W · WIRE · KSTP
WOW · WDAF · C · WMBG
WSYR · WHAM · N · WLW
WFEA · WBRE · X · WTAR
WSPD · WOOD · WIBA
WEBC · WPTF · WSOC
WFBC · WFLA · WJAX
WROL · WSM · WMC
WAVE · WLAK · WHO
WBRC · WCOA · WSMB
WIS · WSB · WALA · WBAP
KSEI · KVOO · WKY · WAPO
KTBS · KTHS · KPRC · WIOD
WOAI · KGIR · KFYR · KARK
KDYL · KIDO · WDAY · Q · KOA
KGHL · WJDX · KFTI · KPFA
KHQ · KGW · KPO
KFI · KOMO
· KMJ
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KVOA · KFBK
W · KERN · CBL · CB · KWG · WISE

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ON

GOOD NEWS HOUR

Thurs., Jan. 25, 9-10 p. m. Eastern Time

Over 85 stations of Red Network

•

These great stars of the picture on the air:

ALICE **FAYE** · RICHARD **GREENE** · BRENDA **JOYCE**

•

Plus these regular "Good News" favorites: FANNY BRICE as Baby Snooks, HANLEY STAFFORD as Daddy, EDWARD ARNOLD, CONNIE BOSWELL, MEREDITH WILSON and his music . . . . *plus* GEORGE HOUSTON, baritone.

20th CENTURY FOX

Showmanship up-to-the-minute!

SCOOP AFTER SCOOP ON THE RADIO FOR 20th CENTURY-FOX—AND YOU!

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Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 47. NO. 17 NEW YORK, U. S. A., TUESDAY, JANUARY 23, 1940 TEN CENTS

Film Salaries Bared by U.S.; Colbert First

List Omits Loew's, RKO, 'U' Officials' Earnings

WASHINGTON, Jan. 22.—Claudette Colbert of Paramount took the top salary in the film industry in 1938, with a total of $301,944, it was disclosed today by the Treasury Department in listing individuals receiving compensation from corporations in excess of $75,000.

Publication of the list, required under the revenue act, formerly covered compensation in excess of $15,000, but was changed, by an amendment to the law last year, to the higher figure in order to cut it to reasonable proportions.

Warner Baxter of 20th Century-Fox, was second top money maker, with $297,807 out of a total of 86 actors, actresses and executives in the film industry carried in the 398-name list.

As the result of a technicality, un-

(*Continued on page* 4)

Capra in One-Film Deal with Warner

HOLLYWOOD, Jan. 22.—A deal is expected to be signed this week whereby Frank Capra and Robert Riskin will produce their first independent picture for Warner release, with Warners to provide the financing.

The deal applies to one picture only, "Life and Death of John Doe," an original by Richard Connell and Robert Presnell. William Holman, formerly Columbia studio manager, will be associated with Capra and Riskin as general manager. Start of the picture, probably to be made on the Warner lot, is scheduled for the middle of April.

'69th' Stars Arrive, Given Big Welcome

A crowd of more than 5,000 persons gave a rousing reception to James Cagney and Pat O'Brien at Grand Central station yesterday morning while the band of the 165th Regiment (the old 69th) blared martial music to which even the red caps marched in step.

O'Brien and Jack L. Warner, accompanied by their wives, arrived from the Coast to attend the 69th

(*Continued on page* 7)

Not Guilty Bioff Income Tax Plea

Los Angeles, Jan. 22.—William Bioff, I.A.T.E. leader, today entered a not guilty plea to two counts of evading income taxes after his attorneys George Breslin and Michael Luddy, reserved the right to interpose a demurrer to the indictments. Federal Judge Ralph Jenny, before whom Bioff appeared, set Feb. 5 as the date on which the trial would be scheduled.

First Lady Heads Washington Elite As 'Lincoln' Opens

WASHINGTON, Jan. 22.—With Mrs. Franklin D. Roosevelt as honor guest, the world premiere of RKO's "Abe Lincoln in Illinois" was held at the RKO Keith here tonight.

The benefit performance was sponsored by the Newspaper Women's Club of Washington, with Mrs. Nicholas Longworth as honorary chairman and Helene Livingston Kravadze as active chairman.

Celebrities of the screen, political and social worlds of Washington attended the premiere, which was staged with all the trimmings of a Hollywood opening. Two batteries of anti-aircraft searchlights, manned by Coast Artillery units, went the customary arc-lights one better.

Attending were the stars of the film,

(*Continued on page* 6)

Dembow Returns In Executive Post At Para. Theatres

Sam Dembow, Jr., will return to Paramount as a member of the home office theatre executive staff within the next few days.

One of the most experienced theatre executives in the industry, Dembow was in charge of Paramount theatre operations following the resignation of Sam Katz, and prior to that was second in command of Publix Theatres Corp., the subsidiary which, prior to the decentralization of Paramount theatre operations, had as many as 1,800 theatres within its fold at one time.

Dembow's theatre experience dates back to 1923, when he became associated with the old Herbert L. Rothschild chain. He occupied numerous sales posts for William Fox companies from 1913 to 1922, and was Pacific Coast district manager for Samuel Goldwyn in 1922 and 1923.

When the Rothschild circuit was acquired by Famous Players-Lasky, the predecessor to Paramount, Dembow was in charge of the booking and buying of all attractions for Famous Players-Lasky theatres. With the organization of Publix Theatres he was made executive vice-president and was an officer and director in many of its subsidiaries.

With the decentralization of Paramount theatre operations he became vice-president of Paramount Theatres Service Corp. in 1933, and resigned late in 1934 to become general manager of National Screen Service. He occupied that post until 1937 when he

(*Continued on page* 6)

10,000 Theatres to Observe Help Finland Days Feb. 17-18

Feb. 17 and 18 have been designated as "Help Finland Days" in theatres by the motion picture division of the Finnish Relief Fund, Inc., headed by former President Herbert Hoover. The division's goal is $500,000.

L. E. Thompson of RKO, chairman of the film division, has assured Hoover that 10,000 or more theatres, including the large circuits and independents, will cooperate in the campaign.

Collections among patrons will be taken in lobbies on the two days, wherever possible by girls representing Scandinavian organizations and dressed in Finnish national costumes. After the collection is completed, the money is to be turned over to theatre manager, who will send a check for the amount to Raymond Sawtell, treasurer of the Fund.

Hoover sent wires to the presidents of all exhibitor organizations urging their cooperation, and the response is

(*Continued on page* 7)

Eastern N. Y. Allied Votes for Neely Bill

ALBANY, Jan. 22.—Eastern New York Allied members attending today's regional meeting at the Ten Eyck here went on record in favor of the Neely bill.

Later, a bloc known to favor the bill, resigned from the organization on the grounds that the effectiveness

(*Continued on page* 7)

'U' Plans 43 Films During New Season

Sets Distribution of 3 Frank Lloyd Pictures

Universal will schedule 43 pictures for production next season, the same number which the company has scheduled for the current release year, Nate J. Blumberg, president, and William A. Scully, vice-president and distribution head, said yesterday on their return from a two weeks production conference at the studio.

The company's decision not to reduce its production schedule next season because of uncertainties in foreign markets and other considerations was reached at the studio conferences.

Universal's schedule for the current year consists of 40 productions of its own and three which it was to distribute for Harry Edington. The latter, after delivering one, was released from his Universal commitments to take charge of production of the higher budget pictures for RKO. Uni-

(*Continued on page* 7)

Paramount Plans Fewer '40 Films

Production of fewer pictures for the 1940-'41 season will be considered by Paramount at home office conferences this week, Y. Frank Freeman, studio head, said yesterday on his arrival here from the Coast and New Orleans.

Freeman said that no decision to make fewer pictures next season had been made by Paramount yet, but that the matter had been broached and that a decision would be made here this week.

The Paramount studio head was accompanied from New Orleans by E.

(*Continued on page* 6)

20th-Fox Executives See 'Wrath' Tonight

Darryl F. Zanuck and Joseph M. Schenck will head a group of notables attending the press preview of "The Grapes of Wrath" at the Normandie Theatre at 8:30 o'clock tonight.

Also attending will be Nunnally Johnson, who wrote the screenplay and was associate producer on the film; Gene Markey and Hedy Lamarr, as well as a large group of home of-

(*Continued on page* 4)

Expect $300,000 From N.Y. Film Tax

ALBANY, Jan. 22.—An estimate of $300,000 from the three mills per foot tax on films licensed for state exhibition, was included in the budget for the next fiscal year, submitted to the New York state legislature tonight by Governor Lehman.

The estimate, according to the Governor, was "predicated on past behavior." The Motion Picture Division in the fiscal year ended June 30, 1939, collected $298,023 and for the previous year $304,073.

Of importance to exhibitors in the Governor's budget of $396,700,000 for the year is the appropriation for unemployment relief of $85,300,000, which may necessitate the imposition of a state sales tax. Such a tax probably would include theatre admissions.

E. C. Grainger Holds Cincinnati Meeting

CINCINNATI, Jan. 22. — E. C. Grainger, general manager of Feiber & Shea, and the circuit's managers in the field held a breakfast-meeting at Netherland-Plaza Hotel here last week.

Present were: Ray C. Hickman, field representative; Frank King, manager of the Midland and Auditorium, Newark; Dan Gilhula, manager of the State and Ohio, Cambridge; Edward J. Hiehle, manager of the Weller, Zanesville; Duke Prince, manager of the Ohio and Strand, Marietta, Tom Alfred, general manager of the Lancaster Amusement Co., Lancaster; Harold Snyder, manager of the Lyric, Lancaster, and Jack Shea, booker, of New York.

Panama's President Greets Para. Chiefs

Adolph Zukor and John W. Hicks, currently on a business and goodwill tour of Central and South America for Paramount, were received by Dr. Augusto Boyd, President of Panama, on their arrival there last weekend, according to word received at the home office yesterday.

The Paramount executives also were entertained by William Dawson, American envoy to Panama, and Major General Van Voorhis, commander of the Canal Zone.

Shea Official Testifies

BOSTON, Jan. 22.—Alexander Kearney, assistant manager for the Shea circuit with headquarters in New York City, testified today in the Morse and Rotherberg anti-trust suit against the major distributors. Counsel for the Shea circuit, Edward C. Raftery, was also present today.

MITCHELL MAY, Jr.
CO., INC.

INSURANCE

•

Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

A. H. BLANK, head of Tri-States Theatres, Des Moines, and MRS. BLANK have left for a three-week vacation at Hollywood, Fla.

•

J. E. GARRISON, head of the Universal branch in St. Louis; GEORGE MCKEAN, former manager of the 20th Century-Fox branch there, and JOSEPH DESBERGER, owner of the Norside, Upper Alton, Ill., are on the sick list in St. Louis.

•

BEN L. HEIDINGSFELD, attorney, vice-president of RKO Midwest, and an associate of ISAAC LIBSON in other theatre activities, has been named chairman of the board of the Security Savings and Loan Co., Cincinnati.

•

VICTOR SHAPIRO, newspaper and publicity man, has been named public relations counsellor for LIEUT. GOV. ELLIS E. PATTERSON, who seeks the Democratic Senatorial nomination in California.

•

JAMES J. GRADY, manager of the 20th Century-Fox exchange in Cincinnati, is recovering from minor injuries sustained when his car skidded on an icy street and struck a pole.

•

LOUIS NIZER, CLAYTON BOND, HARRY SHERMAN, WILLIAM ORR, SIDNEY PHILLIPS, LOUISE RAINER and JOSEPH WEINSTOCK at Nick's Hunting Room in the Astor for lunch yesterday.

•

MORRIS JOSEPH, Universal exchange manager in New Haven, and his son-in-law, SAM BAILEY, of the Whalley Theatre in that city, have left for a Florida vacation.

•

ROSS GARVER, owner of the Little Virginia Theatre, Terre Haute, Ind., is the grandfather of a boy, WILLIAM ROSS RACEY, born in Albany, N. Y.

•

JOHN CROMWELL, RKO director, returns to Hollywood from Washington today after a week's stay in New York and a day in the Capital.

•

JACK MCINERNEY, ROBERT WEITMAN, ARTHUR LOEW, BEN BOYAR, AL LEWIS, JOE COOK and JOHN GOLDEN lunching at Sardi's yesterday.

•

JAMES DUNN, director of publicity at the Rivoli, returned to his desk yesterday after a four-week illness.

•

WILLIAM F. RODGERS, M-G-M general sales manager, is due Thursday from Florida.

•

CLIFF LEWIS, Paramount studio publicity head, arrived yesterday from the Coast.

•

ERROL FLYNN returned to the Coast by plane Sunday after a week's stay here.

•

JOE PENNER arrived from the Coast yesterday and will broadcast from here.

•

EDWARD G. ROBINSON is in town.

Moray to Coast Feb. 12

Norman H. Moray, Vitaphone sales manager, is expected in Hollywood Feb. 12 for conferences with studio executives over the 1940-'41 shorts schedule. A possible increase in the number of historical shorts will be the principal topic of discussion.

LOUIS B. MAYER, vice-president in charge of M-G-M production, accompanied by HOWARD STRICKLING, publicity director, arrive this morning from the Metro studios on the Coast.

•

FELIX SEYMOUR, Hollywood and Broadway dance creator, left for the Coast over the weekend for an assignment at 20th Century-Fox after completing production of the show for the new Ziegfeld Midnight Roof here.

•

TRYONE POWER arrives from the Coast Friday and will attend the President's Birthday Ball in Washington Monday night. BRENDA JOYCE, also of 20th Century-Fox, will attend the ball and then come here.

•

RUTH WEISBERG, MORT BLUMENSTOCK'S office manager at the Warner home office publicity department, leaves within the next few days for a vacation in Florida.

•

CHARLES ROBERTS, Columbia home office supervisor for Latin America, is en route to the company's Mexico City office for an indefinite stay.

•

COL. H. A. COLE, president of Allied States, has arrived here from Washington and plans to remain to the end of the week.

•

R. J. O'DONNELL of Interstate Circuit, Dallas, is in New York for Paramount home office conferences.

•

ALFRED SANTELL, director, arrived here yesterday from the Coast.

•

SAM SHAIN is in Washington.

Seidelman Leaves For Central America

Joseph H. Seidelman, Universal vice-president and foreign department head, left for a six-week business trip to Mexico and Central America after participating in the company's new season production conferences which were concluded at the studio last week.

Seidelman will go to Central American points from Mexico and return to New York about March 1 by way of Cuba and Puerto Rico.

N. J. Allied Meets Today

Allied of New Jersey members at a meeting at the organization's offices today will receive a report on the national board meeting held last week in Washington. Lee Newbury, president; Ralph Wilkins of Pitman and Harry Loewenstein of Newark represented the unit at the session.

General Takes Offices

General Film Co., headquarters of which is in Hollywood, has leased space on the 15th floor of the RCA Building, Rockefeller Center.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Edwin Carewe Dies In Hollywood at 57

HOLLYWOOD, Jan. 22.—Edwin Carewe, 57, veteran producer-director, was found dead today, presumably the victim of a heart ailment, in the home of Winston Platt, a nephew, here. Carewe had been ailing for some time.

His most recent film venture was in organizing a company to make ed[illegible]tional and religious films. He is [illegible]vived by his widow, Mary Aiken Carewe, three children, Sally Ann, Carol Lee and William Carewe, by his present marriage, and two daughters, Rita and May Jane by a former marriage.

Contributing to his ill health were four years of litigation with the Government over allegedly due back income tax. He compromised the case recently by payment of approximately $100,000.

Silverstone, Helprin Get Jobs with Pascal

Emanuel Silverstone and Morris Helprin were named American representatives for Ernest Pascal yesterday.

They will act in the same capacities for Pascal, who last week effected a deal for release of his pictures here through United Artists, as they have for Alexander Korda for some time past. Silverstone will be in charge of sales operations and Helprin of advertising and publicity.

Hickey Heads New N. S. S. Department

Duke Hickey, publicity man, has been appointed promotional director and manager of the newly created special service department at the Chicago office of National Screen Service. Hickey will advise exhibitors on matters of exploitation.

Hickey formerly was exploitation, publicity and advertising manager at the Universal exchange in Chicago and the Big U Exchange, New York.

Ernest Morrison Dies

ATLANTA, Jan. 22.—Ernest W. Morrison, 46, former manager of theatres operated in the South by Paramount, died at an Atlanta hospital. He had been associated with the company for 25 years, but ill health had kept him inactive for some time. His widow and a daughter survive.

MOTION PICTURE
DAILY
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SIDNEY R KENT=CAR

...FROM AN OUTSTANDING SHOWMAN AND ONE OF THE BEST JUDGES OF PICTURES IN THE BUSINESS

20TH CENT FOX FILM

DEAR SID, YOU TOLD ME THAT THE " BLUE BIRD " WAS A GREAT PICTURE. THAT WAS A MILD STATEMENT. AFTER SEEING THE PICTURE AND AGAIN REVIEWING THE VARIOUS SCENES I AM CONVINCED THAT THE GREAT BEAUTY AND CHARM OF THIS PRODUCTION WILL CAUSE THE PUBLIC TO LOVE IT. I HOPE EVERY EXHIBITOR ENTHUSES OVER THE BLUE BIRD AS I AM ENTHUSED AND THAT THEY GIVE IT ALL THE SHOWMANSHIP THAT THE PICTURE DESERVES. REGARDS=

A R BOYD.

1118A

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

TMAT Ballot Fight Before Labor Board

State Labor Relations Board has set tomorrow at 3 P.M. as the time for a hearing on the bargaining agency election in the Endicott Circuit. The Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union, which was defeated in the election, has challenged the vote.

The T.M.A.T. disclosed yesterday that it had obtained a contract from the R. & M. Amusement Corp. covering the Bronx Opera House. Although the union claims to have 50 managers and assistants working under closed shop agreements in the city, the Bronx Opera contract was the first one to be disclosed.

The contract provides for a scale of $40 weekly for the manager and $25 for the assistant, until Labor Day, when the scale is to be increased to $50 and $30 respectively. A closed shop is established for managers, assistants and student managers and publicity and exploitation men.

New employes must be hired through the union. Hours of the manager must be "reasonable" while the hours of the others is limited to 54 hours weekly.

20th-Fox Executives See 'Wrath' Tonight

(*Continued from page* 1)

fice executives, circuit officials, exhibitors and newspapermen.

Jane Darwell, who plays "Ma Joad" in the film, arrived yesterday and will be at the preview, as will Dorothy Lamour, who arrives today.

In the audience of 600 are expected Mr. and Mrs. Sidney R. Kent, Mr. and Mrs. Theodore Roosevelt, Director Sidney Lanfield, Pascal Covici, Mr. and Mrs. Herman Wobber, Harold Ginsberg, Mr. and Mrs. William Kupper, Mr. and Mrs. W. C. Gehring, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. William Paley, Mr. and Mrs. Irving Berlin, Mr. and Mrs. J. P. McEvoy, Mr. and Mrs. Ernst Lubitsch, Mr. and Mrs. Herbert Bayard Swope, Mr. and Mrs. Henry Luce, Mr. and Mrs. Donald Campbell, Mr. and Mrs. Jack Warner, Mr. and Mrs. W. A. Harriman, Mr. and Mrs. Max Gordon, Mr. and Mrs. Buddy DeSylva, Mr. and Mrs. C. V. Whitney.

Margolies Returns, Hails UA Program

Al Margolies, United Artists publicity manager, returned to the home office yesterday following a two weeks' Coast visit during which he conferred with the company's producers.

Margolies said that United Artists will have a greater number of releases next season than it will during the current season. This year's releases will number about 26.

Margolies added that James Roosevelt, Walter Wanger, Hal Roach and David Loew all have productions in preparation now. Sol Lesser, Ernst Lubitsch and Edward Small are engaged in planning their next productions and Charles Chaplin's "Production No. 6" is nearing completion.

Majors Have Trust Query Answers Ready by Feb. 15

Major company defendants in the Government's New York anti-trust suit estimated yesterday that they will be able to complete their answers to the Government's interrogatories without the need for a further extension of time beyond the present Feb. 15 deadline.

Attorneys for the defendant companies reported that the work of preparing answers is progressing smoothly and that a great deal of progress has been made.

A third extension of the time for the filing of objections by the Government to the company defendants interrogatories was granted yesterday. The Government was given until Jan. 30 to file its objections, which were due yesterday.

Although scheduled to reply Feb. 1 to United Artists interrogatories, which were served separately, the Government has requested that company to permit its interrogatories to be answered at the same time that the Government serves answers to interrogatories of other defendants.

United Artists has made no objections and indications are that the Government's answers will be furnished late next month to seven major company defendants.

Universal does not intend to serve interrogatories on the Government.

The five company defendants having theatre affiliates yesterday rejected a contemplated move to oppose examination of their ranking executives by the Government next month. However, the probability that either Columbia or Universal, or both, will oppose the examinations during the next few days still exists.

United Artists officials were examined by the Government last Fall.

A conference of Government and defendants' counsel is scheduled for today in connection with the Government's preparations for answering defendants' interrogatories.

G.N. Officials Tell Of Financial Deals

Financial transactions between Grand National Pictures and Educational Pictures were described at a hearing yesterday by Harold Saxe, GN comptroller, and Norman C. Nicholson, general counsel. Both witnesses also touched upon a deal between GN and Arcadia Pictures in which GN obtained a $15,000 loan.

Educational received 1,100,000 shares of $1.00 par common stock in return for the transfer of re-issue rights and trade names with a book value of $43,233, it was stated. These rights, however, were actually worth the stock received as "going concern" assets, both witnesses declared.

Attempts were made by Joseph Dannenberg, attorney for the trustee, to prove a connection between Arcadia and GN. Testimony brought out the fact that a number of GN directors also served on the Arcadia board.

At no time during 1939, Nicholson said, was GN in a position to meet debts as they matured. Examination of Earle Hammons, head of GN, will be held tomorrow before Referee Peter B. Olney, Jr.

Kentucky Assembly Gets Anti-Ascap Bill

LEXINGTON, Ky., Jan. 22.—A bill to prevent Ascap from operating in Kentucky has been introduced in the state legislature by Rep. Carl Scheben.

The measure has been referred to the committee on miscellaneous affairs, which will hold a hearing on the bill in the near future.

House bill No. 4, the anti-Ascap measure, is said to be a duplicate of the Washington, Montana and Florida laws, the constitutionality of which is now being tested in Federal Court.

King and Queen of Films

Mickey Rooney and Bette Davis were elected King and Queen of the Movies for 1940 in the New York *Daily News*' annual poll conducted by readers.

English Sailors See Pictures Too Soon

London, Jan. 5 (*By Mail*).—Exhibitors at Portsmouth, England's naval base, are complaining that sailors are seeing new films at the Royal Naval Barracks without charge before the local theatres are getting them.

They claim sailors walk up to the box-offices, look at the posters and leave, having already seen the films.

Warner Explains Elimination of 'B's'

Explaining why Warners have eliminated "in-between" pictures, Jack L Warner, vice-president in charge of production, on his arrival from the Coast yesterday declared:

"Exhibitors don't want them, and the public doesn't want them. The easiest thing in the world is to turn out 100 'B' pictures a year. At the Warner studio we are too serious to waste time on them."

Warners' production policy, he said, is to increase expenditure and effort with the aim of obtaining maximum gross at the box-office.

The studio, he said, is concentrating on action and comedy, "solid entertainment of a type that made the screen what it is today and what it is intended to be." Warner listed "Virginia City" and "The Sea Hawk" as films in this class, among others.

Warner estimated that production costs have increased 300 to 400 per cent in the last four years.

He plans to leave Friday for the Coast.

'Louise' at Carnegie

The film production of the opera, "Louise," starring Grace Moore and made in France under the supervision of Gustav Charpentier, the composer, has been booked to open at the Little Carnegie Feb. 2, the 40th anniversary of the first performance of the opera.

Film Salaries Bared by U.S.; Colbert First

(*Continued from page* 1)

explained by the Treasury, executives and players of Loew's, Inc., Universal and RKO were not listed. In the 1937 returns, Louis B. Mayer, M-G-M production head, led all salaries with $1,161,753. A supplementary listing may include those companies.

Helen Hays was the only stage player in the list, receiving a salary of $113,458 from Heron Productions.

Film and radio salaries above $75,000 were reported by the Treasury as follows:

Samuel Goldwyn, Inc., Ltd.—Gary Cooper, $140,129; Samuel Goldwyn, $156,000; Jascha Heifetz, $100,000; Archie Mayo, $167,812; Joel McCrea, $152,000; Merle Oberon, $139,285; William Wyler, $75,583; Robert Riskin, $180,125.

Selznick International Pictures—David O. Selznick, $181,500; Leslie Howard, $141,250; George Cukor, $119,687.

Myron Selznick & Co.—Myron Selznick, $130,000.

Walter Wanger Pictures, Inc.—Charles Boyer, $161,000; Henry Fonda, $105,000.

Walter Wanger Productions—Walter F. Wanger, $130,000; Fredric March, $136,311.

Fox West Coast Agency Corp.—Charles P. Skouras, $78,000.

National Theatres Amusement Co., Inc.—S. P. Skouras, $254,500; Charles P. Skouras, $175,000.

Paramount Pictures—John Barrymore, $105,833; Joan Bennett, $94,333; Jack Benny, $250,000; Claude Howard Binyon, $100,000; Bob Burns, $155,952; Claudette Colbert, $301,944; Ronald Colman, $102,083; Harry L. Crosby, $260,000; Walter De Leon, $89,475; Marlene Dietrich, $130,000; Claude Fields, $93,166; Robert Florey, $76,500; Henry Hathaway, $115,541; Arthur Hornblow, Jr., $145,166; Lucien Hubbard, $121,000; Harold H. Hurley, $111,955; Talbot Jennings, $96,333; Fritz Lang, $85,543; William Le Baron, $182,467; James Mitchell Leisen, $115,000; Albert Parsons Lewin, $114,958; Frank Lloyd, $150,750; Fred MacMurray, $183,333; Herbert Marshall, $93,750; George Raft, $186,964; Martha Raye, $81,958; Wesley Ruggles, $199,062; Alfred Santell, $122,000; Preston Sturges, $143,000; Harlan Thompson, $95,791; Raoul A. Walsh, $107,083; William A. Wellman, $136,805; Adolph Zukor, $170,400.

Twentieth Century-Fox—S. R. Kent, $181,705; Joseph M. Schenck, $106,000; Darryl F. Zanuck, $265,000; William Goetz, $106,000; Don Ameche, $98,000; John L. Balderston, $88,500; Warner Baxter, $279,807; Harry Joe Brown, $122,041; David Butler, $133,000; Irving Cummings, $105,000; Roy Del Ruth, $216,741; Alice Faye, $87,000; John Ford, $169,791; Mack Gordon, $100,250; Raymond Griffith, $117,375; Jack Haley, $90,000; Sonja Henie, $113,000; Nunnally Johnson, $119,166; Henry King, $133,500; Sidney Lanfield, $92,083; Walter Lang, $84,500; Sonya Levien, $77,066; Kenneth MacGowan, $104,333; Gene Markey, $87,166; Victor McLaglen, $125,475; Annabella Murat, $87,500; Tyrone Power, $140,750; Gregory Ratoff, $104,333; William A. Seiter, $117,583; George J. Sommerville, $80,000; Shirley Temple, $114,848; Sol Wurtzel, $182,583; Jack S. Yellen, $76,800; Loretta Young, $181,615.

United Artists—Maurice Silverstone, $87,000.

Columbia Broadcasting System—William S. Paley, $171,849; Edward Klauber, $78.304.

Eastman Kodak Co.—Frank W. Lovejoy, $115,419.

Radio Corp. of America—David Sarnoff, $100,220.

American Telephone & Telegraph Co.—W. S. Gifford, $209,350; C. P. Cooper, $102,700.

Repealing Sunday Ban

COHOES, N. Y., Jan. 22.—Fabian reopened the Regent Sunday after one Sunday of darkness due to the Common Council ordinance forbidding performances on that day. The ordinance is due to be repealed this week.

Set Alliance Film

A first run of "Dead Men Tell No Tales," Alliance Films picture, has been set for the Mercury, Buffalo.

THEATER

By Sidney B. Whipple

20th Century-Fox

Twentieth Century-Fox Film Corporation presents the world premiere of Darryl F. Zanuck's production of Maurice Maeterlinck's THE BLUE BIRD, tomorrow night at the Hollywood Theatre.

Thereafter it will be shown twice daily, with all seats reserved. Thus presented, you may see this picture as it should be seen—from the very beginning—and enjoy to the fullest its mood of rare beauty.

Tickets are now on sale at the boxoffice for tomorrow night and subsequent performances. Mail orders are being filled in the order received.

Maurice MAETERLINCK'S

THE BLUE BIRD

in TECHNICOLOR

with

**Shirley Temple • Spring Byington • Nigel Bruce
Gale Sondergaard • Eddie Collins • Sybil Jason
Jessie Ralph • Helen Ericson • Johnny Russell
Laura Hope Crews • Russell Hicks • Cecilia Loftus • Al Shean • Gene Reynolds**

Directed by Walter Lang

Associate Producer Gene Markey • Screen Play by Ernest Pascal
Additional Dialogue by Walter Bullock

A 20th Century-Fox Picture
Darryl F. Zanuck In Charge of Production

**WORLD PREMIERE
TOMORROW—8:30 P. M.**

HOLLYWOOD Theatre

Broadway & 51st • Circle 7-5545 • Performances Daily 2:30, 8:30 • Sun. 3, 6, 8:30 • Midnight Show Sat. • Prices (including tax) Mats., 6 P.M. Sun. & Sat. Midnight 55¢, 85¢, $1.10 Eves. 55¢, 85¢, $1.10, $1.65 • Mail orders filled.

"Oh, sure, he'd propose to you in a minute . . . but he has a wife to think about!"

Starts
TOMORROW
DOORS OPEN 11 A. M.

JOEL NANCY
McCREA • KELLY
in

He Married His Wife

The fun's fast . . . the lady's furious . . . the romance too frantic for words!

with
**ROLAND YOUNG • MARY BOLAND
CESAR ROMERO • MARY HEALY
LYLE TALBOT • ELISHA COOK, Jr.
BARNETT PARKER**

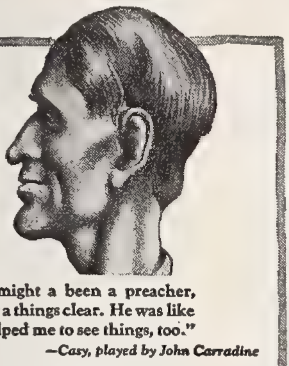
Directed by Roy Del Ruth
Associate Producer Raymond Griffith • Screen Play by Sam Hellman, Darrell Ware, Lynn Starling and John O'Hara
Darryl F. Zanuck In Charge of Production
A 20th Century-Fox Picture

ON OUR STAGE
Joyous New Variety Presentation with
**THE ETON BOYS
JOHNNY BURKE
MAZZONE & ABBOTT DANCERS
TRIXIE • WYNNE, BROCK & AMES
GAE FOSTER GIRLS
PAUL ASH & ROXY ORCH.**

ROXY

ANY DAY ANY SEAT ~1 P.M. 25¢ • CHILDREN UNDER 12 ALWAYS 15¢
SHOW VALUE OF THE NATION
7th Avenue and 50th Street

Last Times TODAY
"RAFFLES"
David Niven
Olivia de Havilland



Drawn for this advertisement by Thomas Hart Benton, famous American artist.

"That Casy. He might a been a preacher, but—he seen a lot a things clear. He was like a lantern—he helped me to see things, too."
—*Casy, played by John Carradine*

DARRYL F. ZANUCK'S production of

THE GRAPES OF WRATH

by John Steinbeck

Tom Joad . . HENRY FONDA
Ma Joad . . JANE DARWELL
Casy . . . . JOHN CARRADINE
Grampa . . CHARLEY GRAPEWIN
Rosasharn . . DORRIS BOWDON
Pa Joad . . RUSSELL SIMPSON
Al . . . . O. Z. WHITEHEAD
Muley . . . . JOHN QUALEN
Connie . . . EDDIE QUILLAN
Granma . . . ZEFFIE TILBURY

**WORLD PREMIERE
Wednesday, January 24th at 9:30 A. M.**

Directed by
JOHN FORD
Associate Producer and Screen Play by
NUNNALLY JOHNSON
A 20th Century-Fox Picture

United Artists **RIVOLI** Continuous Performances • Popular Prices • Midnight Shows •
Broadway & 49th

FOUR WIVES

GONE WITH THE WIND

ASTOR

CAPITOL

ALL PRICES INCLUDE TAX

MR. SMITH GOES TO WASHINGTON

TRANS-LUX

"DAY-TIME WIFE"

RULERS OF THE SEA

WUTHERING HEIGHTS

RADIO CITY MUSIC HALL

HELD OVER

GULLIVER'S TRAVELS

CISCO KID & THE LADY

HARVEST

FIRST PRIZE WORLD

5 AVE PLAYHOUSE

RONALD COLMAN
The Light That Failed
with WALTER HUSTON
RIVOLI

BETTE DAVIS
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Danielle DARRIEUX KATIA
Little CARNEGIE 57 ST.

MUNI
WE ARE NOT ALONE

DIX
RENO

Steals the B'way Show!

First Lady Heads Washington Elite As 'Lincoln' Opens

(*Continued from page* 1)

Raymond Massey, Ruth Gordon and Mary Howard; John Cromwell, director; Robert E. Sherwood, author; Max Gordon and Harry Goetz, producers. A loud-speaker system in the theatre's lobby announced the guests as they arrived. Sherwood and Massey were introduced from the stage at the conclusion of the film by Katharine Brooks, president of the club.

Arriving celebrities were interviewed over WJSV. The performance was for the benefit of the Children's Hospital and the club's Fellowship Fund.

A number of dinner and cocktail parties preceded the opening. The performance was followed by a reception by the Women's Club at the Hotel Raleigh, broadcast over a 47-station NBC-Blue hookup.

RKO executives, who set up headquarters at the Hotel Carlton, included:

S. Barret McCormick, director of advertising and publicity; A. W. Smith, Jr., Eastern and Canadian sales manager; H. M. Richey, director of exhibitor relations; Ken Hallam, radio publicity director; Nat Levy, eastern district salesmanager; J. J. O'Connor, vice-president in charge of theatre operations; Fred Meyers, head of the film booking department; Harry Mandel, publicity director: Charles Horstman, head of projection and sound division; J. M. Brennan, Washington-Trenton division manager.

Out-of-town exhibitors present were Sidney Bowden and Harry Valentine, Norfolk; Mr. and Mrs. David Kamsky, Neighborhood theatre, Richmond; I. M. Rappaport, Hippodrome, Baltimore; Robert Sidman, Senate theatre, Harrisburg, Pa.

Pre-release roadshow engagements will follow the Washington premiere at the Senate, Harrisburg, on Jan. 29; Sheridan, Miami Beach, Jan. 25; Paramount, Palm Beach, Jan. 25; Capitol, St. Petersburg, Jan. 30; Victory, Tampa, Jan. 31; Floriday, Jacksonville, Feb. 1, and Auditorium, Daytona Beach, Feb. 8.

In each situation "Abe Lincoln in Illinois" will be shown continuously at morning and afternoon performances with matinee seats selling for 75 cents. All evening performances will be on reserved seat basis, with one showing at night and tickets priced at $1.10.

Paramount Planning Fewer '40 Features

(*Continued from page* 1)

V. Richards, head of the Saenger Circuit and member of the Paramount board. Richards has been asked to sit in at the product conferences, but said that due to pressure of business at his own office his stay here would be very brief. He may leave for the South today, not remaining even for the Paramount board meeting Thursday.

Freeman plans to remain in New York a week. Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee; Neil Agnew, vice-president and distribution head, and Russell Holman, Eastern talent head, will participate in the production conferences with Freeman and Richards.

Predicts Television in Color!

Washington, Jan. 22.—Development of frequencies above 150,000 k. c. will increase the number of stations that can be located in the same area, and "will make possible a quality of television far surpassing anything yet dreamed of, and permit pictures in full color and with three-dimensional perspective."

This testimony was given today by E. W. Engstrom, director of research of RCA-Victor, to the F.C.C. as the second week of hearings on the new television regulations opened.

Engstrom testified that the R.M.A. standards, which are under attack from various quarters, will "remove uncertainties in the minds of manufacturers and public," and that partial commercialization will provide revenue for further research. Considerable further progress in size, brightness, definition and contrast can be made under the proposed standards, he asserted.

The Commission was told that Paramount is partly financing four of 19 television station applications now pending, two of them filed by Dumont, one by Television Products, and one by Chicago Theatres.

Grosses Keep Good Pace on Broadway

With two houses playing on a two-a-day basis for the first time in a long while, Broadway houses played to good grosses over the weekend. At the Hollywood, "The Blue Bird" played to capacity on the regular shows and just slightly under on the extra shows on both Saturday and Sunday, for an estimated $5,100.

"Gone With the Wind," at the Astor and the Capitol, continued to play to full houses for the fifth consecutive week, grossing an estimated $80,000 at the Capitol and $22,000 at the Astor.

"His Girl Friday," in its second week at the Music Hall, with a stage show, drew an estimated $33,000 for the weekend. "The Shop Around the Corner" opens there on Thursday. At the Roxy, "He Married His Wife," with a stage show, drew an estimated $14,000 for the first three days, with "Brother Rat and a Baby" starting Friday.

"Remember the Night" with Bob Chester's band on the stage, drew an estimated $20,000 over the weekend at the Paramount and should finish its first week tonight with an estimated $45,000. It will be held over.

Paul Whiteman's band will be the stage attraction at the Strand when "The Fighting 69th" bows there on Friday.

Over the weekend, "Invisible Stripes" with Shep Fields band on the stage, now in its second week, grossed an estimated $17,500. "Judge Hardy and Son" will be held over for a second week at the Criterion.

"Grapes of Wrath" will have its world premiere at the Rivoli tomorrow.

Dembow Returning As Para. Executive

(*Continued from page* 1)

was placed in charge of Fanchon & Marco theatres, a post which he resigned only recently.

In his renewed association with Paramount, Dembow will be associated with Leon Netter and Leonard Goldenson at the home office under Barney Balaban, Paramount president.

George Bailey Dies

St. Louis, Jan. 22.—George E. Bailey, 57, former owner of the Bijou, one of the first nickelodeons here, is dead.

CBS Pushes Plans For Television Net

Philadelphia, Jan. 22.—Construction of the first link in a proposed television network for CBS is scheduled to begin here this Summer when WCAU builds a transmitter on top of a Philadelphia building, with plans for the studio to be in operation before the end of the year. Dr. Leon Levy, owner of WCAU, a CBS affiliate, made the announcement.

The station will be installed at a cost of $200,000 and will re-transmit CBS programs with additional stations planned for Baltimore and Washington. A relay transmitter will be installed near Trenton. It is expected that RCA equipment will be used for both transmitters and the studios.

KYW, the NBC affiliate here, already has television studios, but has no transmitter or an application for one. At present, the Philco station, which uses films and occasional live talent shows on five programs weekly, is the only television station operating. Philco engineers report fair reception from NBC's New York station in the northwestern part of the city.

Although he is rushing his television plans through for this year, Dr. Levy expressed the opinion that telecasting will not be profitable for about 10 years.

Legion Approves 8 Of 9 New Pictures

National Legion of Decency finds five of the nine films reviewed for the current week unobjectionable for general patronage. Three are classified as unobjectionable for adults and one objectionable in part. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Heroes of the Saddle," "Isle of Destiny," "Life of Mother Cabrini," "Opened by Mistake," "Young As You Feel." Class A-2, Unobjectionable for Adults—"Congo Maisie," "Framed," "French Without Tears." Class B, Objectionable in Part—"That's Life, Claudine."

Introduces Repair Bill

Albany, Jan. 22.—Senator Pliny Williamson has introduced a bill permitting villages to repair dangerous or unsafe buildings used for public assembly when the owner refuses to do so. The cost would be assessed against the owner.

Radio Brevities

TBS Dismisses Clerical Staff

FOLLOWING the announcement that Transcontinental Broadcasting System would not be ready to start operations on Feb. 1, it was learned yesterday that the clerical staff and a number of the members of the office staff have been dismissed. John T. Adams, chairman of the board, left for a month's rest in Florida.

Gerald Lyons, director of publicity for the proposed new web, declared yesterday that a board meeting would be held shortly, in Adams' absence, to determine future policy. Lyons declared that plans for operations in the future had not been abandoned.

CBS Promotes John Fox

John Fox has been appointed assistant to the director of sales promotion at CBS, a newly-created post. His position as production manager has been left vacant temporarily but he will continue as space buyer. Fox has been with CBS for five years and previously was with the Bonwit Teller store.

Personalities in the News

Ernest Lee Jahncke, Jr., of NBC's stations department, was married last Saturday to the former Miss Cornelia Redington Dickerman at Richmond, Va. . . . Ben Grauer gets his own master of ceremonies post when he opens in "What Would You Have Done?" quiz show over NBC-Red on Friday. . . . Miriam Hopkins will do a special broadcast for the March of Dimes drive over WHN this afternoon. . . . Gloria Jean will be Bing Crosby's guest on the "Kraft Music Hall" Thursday. . . . Joe Lopez, WICC, Bridgeport, station supervisor, has the letters WICC for his new license plates.

WDAF Dedication Feb. 4

NBC-Red will air a special dedicatory program to WDAF, Kansas City, on Feb. 4 at 12 noon, C.S.T., when the new studios are opened. The station, which started operations on Jan. 15, 1922, is one of the oldest on the air. H. Dean Fitzer, general manager, will speak from Kansas City, and Major Lenox R. Lohr, NBC president, will speak from New York.

Program News

Don Ameche, who has been off the air since the Chase & Sanborn program was cut to a half-hour last month, returns with a new program for Old Gold cigarettes on April 5 over NBC-Red. It will be heard Fridays at 10 P. M. and will be a variety and dramatic show. . . . Campbell's Soup Co., on behalf of its tomato juice, started a new program, "Campbell's Short Short Story," yesterday over 49 CBS stations. It will be heard at 11 A. M., Mondays, Wednesdays and Fridays in the spot left vacant by Lanny Ross who moved to a 2 P. M. spot. . . . Effective March 1, Procter & Gamble changes the time of the "What's My Name" show to Fridays at 9:30 P. M. and will add stations to make a total of 52 over NBC-Red. . . . "Skyblazers" adds a repeat program for the west coast on Feb. 17 over CBS.

Stars of '69th' Arrive, Given Big Welcome

(*Continued from page* 1)

Regiment reunion dinner tomorrow night at the Waldorf-Astoria at which "The Fighting 69th" will be shown. Gradwell L. Sears, S. Charles Einfeld and Cagney boarded the 20th Century at 125th St. station and rode in with the others.

The train was late, and the band played for an hour while the crowd waited. The strains of "Garygowen," regimental song featured in the film, filled the station as the West Coast group was greeted by Col. John J. Mangan, commanding officer of the 165th Regiment, and his staff.

A detail of 50 policemen, supervised by Inspector George Heitzman, fought to keep the crowd in check as the procession, with the 30-piece band in the van, swung into the station lobby. And then pandemonium broke loose.

Brig. Gen. Alexander E. Anderson, New York National Guard commandant; Major W. P. Cavanaugh and Lieut. Col. Hampton Anderson of 27th Division Headquarters were in the reception committee. The reception was broadcast over WMCA.

Jack Warner later said that the 69th Regiment did itself proud with the reception, one of the greatest he had seen, and complimented Einfeld on the arrangements.

Eastern N. Y. Allied Votes for Neely Bill

(*Continued from page* 1)

of the state unit had been dissipated by its break away from national Allied States several months ago.

Those who handed in resignations were: Mitchell Conery, regional vice-president; Abe Stone, Charles Wilson, John Gardiner, Clarence Dopp and Robert Jenner.

Max Cohen, president of the unit, is on record as being opposed to the Neely bill. He did not attend today's meeting. Edward Souhami, attorney for the unit, was present but declined to comment on the action taken.

Theatres in Drive For Finnish Relief

(*Continued from page* 1)

encouraging, according to Vincent G. Hart, director of the motion picture division.

A number of theatres have already set aside a portion of their receipts or total receipts on certain nights for Finnish relief.

Next Saturday night's performance of "Gone With the Wind" at Loew's Palace in Washington, where the picture opens Friday, has been taken over by a committee headed by Eleanor Medill Patterson, publisher of the Washington *Times Herald*, and tickets are being sold to the highest bidders.

French Film to 20th-Fox

"Cheri-Bibi," French film, will be released by 20th Century-Fox in Central and Latin America, under a deal closed with Edwin Fadiman of National Pictures, owner of the picture. It will be released late in February with Spanish and Protuguese titles.

New York Review

"The Lion Has Wings"

(*Korda-United Artists*)

Alexander Korda, in this feature, presents England's viewpoint in the current conflict. Produced very soon after England declared war on Germany, it is part commentary and part the fierce drama of aerial war. It is an extremely timely, hard-hitting picture.

Its tieup and exploitation possibilities are of headline calibre, of course. Ian Dalrymple was associate producer and Michael Powell, Brian Desmond Hurst and Adrien Brunel shared the direction. Lowell Thomas supplies the running commentary for the American release.

The Royal Air Force fully cooperated with Korda in the production, and the result is an intensely interesting exposition of the manner in which the Royal Air Force and its supplemental arm, the anti-aircraft defense, function with machine-like precision in guarding against enemy air raids.

Dramatic aspects of the story are in the capable hands of Merle Oberon, Ralph Richardson, June Duprez and Anthony Bushell. Pictorially and via the Thomas commentary, England puts her case for freedom and against Nazi aggression. Then is reenacted the English air raid on the Kiel Canal naval base early in the war, and the detailed account of a typical British defense against an air raid on England by German bombers. It is exciting screen material.

Running time, 75 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

'Gone With Wind' Set for 162 Cities

M-G-M yesterday set 21 additional engagements on "Gone With the Wind," bringing the total of bookings to 178 in 162 cities. New engagements follow:

Feb. 8, Green Bay, Wis., Orpheum; Feb. 2, Wintergarden, Jamestown, N. Y.; Fiarmont, Fairmont, W. Va.; Cathaum, State College, Pa.; Feb. 3, Capitol, New Britain, Conn.; Feb. 4, Genesee, Waukegan, Ill.; Feb. 8, Palace, Peoria, Ill.; Dixie, Staunton, Va.; Feb. 9, Regent, Elmira, N. Y. (following a three-a-day engagement at the Keeney in the same city).

Feb. 10, Colfax, South Bend, Ind.; Feb. 12, Capitol, Winchester, Va.; Maryland, Hagerstown, Md.; Feb. 15, Elsinore, Salem, Ore.; Feb. 16, Steuben, Hornell, N. Y.; Feb. 19, Tivoli, Frederick, Md.; Paramount, Bristol, Tenn.; Feb. 23, Family, Batavia, N. Y.

Feb. 2, Rex, Wheeling, W. Va.; Keeney, Elmira, N. Y.; Troy, Troy, N. Y.; Feb. 9, Stanley, Utica, N. Y., moving on Feb. 16 to the Avon, same city.

'U' Plans 43 Films During New Season

(*Continued from page* 1)

versal expects to replace from another source the other two pictures which Edington was to have delivered.

Next season, Universal plans to produce seven Richard Arlen-Andy Devine pictures, seven westerns and four serials, in addition to its feature schedule, and also has contracted with Frank Lloyd to distribute three productions for him on a two-year deal.

On the company's starring list for the new season will be Bing Crosby, Marlene Dietrich, Deanna Durbin, Loretta Young and Gloria Jean, among others.

J. Cheever Cowdin, Universal board chairman, who participated in the production conferences, returned to New York by plane on Sunday.

'Blue Bird' Police Benefit

Benefit performance of "The Blue Bird" for the Police Memorial Fund will be held the night of Jan. 30 at the Hollywood where the film is currently being roadshown. The police department band will supply the music. Committee members include Nicholas M. Schenck and David Sarnoff.

Broadway Tax Yield In November Slump

WASHINGTON, Jan. 22.—Amusement attendance in the Broadway area in November fell in greater proportion than throughout the country as a whole, it is shown by a report on December admission tax collections from the Third New York district, issued by the Bureau of Internal Revenue.

Whereas total collections for the country dropped from $2,117,644 in November to $1,974,534 in the final month of the year, the Third District revenue dropped from $689,426 to $610,099, the bureau reported. The district accounts for something less than one-third of total collections, but showed more than half of the total decline.

Collections at the box-office suffered the heaviest punishment, dropping from $621,572 to $506,793, while the revenue from free or reduced rate admissions declined from $7,650 to $5,414, and that on tickets sold by proprietors in excess of the established price from $355 to nothing, while returns from tickets sold by brokers increased from $10,025 to $11,175, on permanent use or lease of boxes and seats from nothing to $1,039, and on admissions to roof gardens and cabarets from $49,823 to $85,681, it was reported.

New Film at Cinecitta

American premiere of "Love in Old Naples," Italian film with English titles, will be held at the Cinecitta Jan. 25. Picture co-stars Emma Grammatica and Vittorio De Sica. A. Palermi directed.

WOLF OF NEW YORK
"Now, get this Jenkins! I want some straight answers, or you'll never see England again . . . not even in the newsreels."
A Republic PICTURE
EDMUND LOWE • ROSE HOBART
JAMES STEPHENSON • WILLIAM DEMAREST
ANDREW TOMBES • BEN WELDEN

SPECIAL ANNOUNCEMENT TO THE TRADE...

In response to the nationwide demand of exhibitors for an immediate release of the "Mayflower" Pommer-Laughton Production of "Sidewalks of London," starring Mr. Charles Laughton and Miss Vivien Leigh, whose name is the most highly publicized of any star name in the history of the industry, Paramount Pictures takes this opportunity to announce the release of this heart-thrilling drama of peace-time London on February 16. Because of the tremendous demand for prints, we urge you to contact your Paramount exchange immediately to arrange bookings!

RELEASED FEB. 16

CHARLES LAUGHTON
SIDEWALKS OF LONDON
VIVIEN LEIGH
REX HARRISON · Produced by ERICH POMMER · Directed by Tim Whelan · Screen Play by Clemence Dane
A POMMER-LAUGHTON "MAYFLOWER" PRODUCTION · A Paramount Release
Paramount Pictures

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
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Brief,
Accurate
and
Impartial

VOL. 47. NO. 18 NEW YORK, U. S. A., WEDNESDAY, JANUARY 24, 1940 TEN CENTS

Federal Quiz Of Columbia's Chiefs Fought

Four Objections Raised To Trust Examination

Columbia Pictures yesterday moved to vacate the government's notice of oral examination of Harry Cohn, Jack Cohn and Abe Montague, president, vice-president and general sales manager respectively, on four grounds. The application will be heard by Federal Judge William Bondy on Jan. 30.

The four grounds were (1) that Harry Cohn is a resident of California and not of New York; (2) that the government has not "particularized the general allegations of the complaint" either by bill of particulars or answers to Columbia interrogatories; (3) that the government has already served written interrogatories on Columbia, and (4) that there is no necessity for the examination at this time.

Harry Cohn's continuous presence in California is required by his duties as production chief of Columbia, an affidavit of Louis D. Frohlich of Schwartz & Frohlich, counsel for Columbia, points out. If Cohn were to

(*Continued on page 7*)

Doubt Italy Report On Film Imports

News dispatches from Rome that the importation of American films would be facilitated by the creation of a new Italian Government organization to control film imports were discounted yesterday by home office foreign departments and M.P.P.D.A.

The industry officials said they had not been advised of any change in the basic control regulations which would eliminate either the Government film monopoly or the absolute restrictions on withdrawals of currency from the country, the primary factors leading to the withdrawal of American companies from the Italian market a year ago.

Without such changes, it was said, there would be no renewal of film shipments to Italy.

Record Atlanta Snow Makes Cinemas Bare

Atlanta, Jan. 23.—Film houses played to almost empty auditoriums today as snowbound Atlantans huddled about their family fires. Nine and one-half inches of snow, heaviest in the city's history, fell during the day.

SAG Attacks Neely Bill, Cites Dangers; Cole Sees Passage

Hollywood, Jan. 23.—The Screen Actors Guild, in its official monthly publication issued today to all members, declares that the Neely bill "would cut motion picture production in half and would disastrously affect industry employment."

The official statement said in part:

"The Screen Actors Guild believes that enactment of the Neely bill, which would destroy methods by which theatres in this country are provided regularly with film necessary to their existence, would inevitably cause the closing of many theatres, curtailment of production and consequent unemployment of actors whom we represent.

"It requires that 17,500 exhibitors be given detailed synopses of pictures offered for rentals (which may not yet have been photographed) and pro-

(*Continued on page 7*)

Goldwyn Will Start 'Black Gold' at Once

Hollywood, Jan. 23.—Samuel Goldwyn today announced his intention of beginning production of "Black Gold" immediately.

Gary Cooper and Vera Zorina will play the leading roles. A second male star for the picture remains to be chosen. Borden Chase, author of the Hudson River "sand hog" story, is here to do the adaptation.

'U' Report to Show Profit Past Million

Universal's annual financial report, which will show net profit in excess of $1,000,000 for the company's fiscal year ended last Nov. 1, will be released this week, according to present indications.

Recent Wall Street estimates of Universal's earnings for last year have been as high as $1,250,000. Results compare with loss of $591,178 for the year ended Oct. 29, 1938, and loss of $1,084,998 for the year ended Oct. 30, 1937.

Newsreels Facing British Censorship

London, Jan. 23.—Lord Denman in the House of Lords tomorrow will present a resolution for wartime censorship of all newsreels in England.

Decision to move for reel censorship follows a controversy in the nation's press over the commentaries in Paramount News on the return to England of Unity Mitford, Hitler's friend, and on the resignation of War Secretary Hore-Belisha from the Cabinet.

Newsreels already exercise an ostensibly voluntary censorship. The press reported today that the Government already has begun to censor the reels, but this was denied by newsreel offices and the Ministry of Information.

40 Reunions Exploit '69th'; 1,200 at N. Y. Dinner Today

Important figures in state, civic and military affairs tonight will gather in 40 cities to attend reunion dinners of the World War Rainbow Division.

The national celebration will have its focus at the Waldorf-Astoria here, where the 69th Regiment reunion affair will be featured by a screening of Warners' film, "The Fighting 69th." More than 1,200 are expected to attend.

A program of speeches at the key dinner will be broadcast over a nationwide NBC-Blue hookup, originating from WJZ from 9 to 9:30 P.M.

Col. John J. Mangan, commander of the 69th, will be toastmaster. On the national hookup will be heard Gov. Lehman of New York, Governor-General Douglas MacArthur of the Philippines, who will be piped in

(*Continued on page 7*)

Fox Scores Victory In Sherwood Fight

Twentieth Century-Fox Film Corp. won a complete victory in the courts yesterday when N. Y. Supreme Court Justice Peter Schmuck, after trial, dismissed the unfair competition suit of Robert E. Sherwood and The Playwrights' Producing Co., Inc.

Plaintiffs had charged Twentieth Century-Fox with taking unfair advantage of the popularity of Sherwood's play, "Abe Lincoln in Illinois," in promotion of its film, "Young Mr. Lincoln." Justice Schmuck ruled that both the picture and the play had taken their material from the public domain and that no exclusive rights were obtained by the first to discover value of the material.

Metro Slates 52 Features Next Season

Mayer Reports Releases Set Up to September

M-G-M plans 52 features for next season, the same number as scheduled for the present season, said Louis B. Mayer, production chief, upon his arrival yesterday from the Coast. The studio has completed or has in work films to next September's release, he said.

Asked about production in New York, Mayer declared:

"I will produce anywhere Nicholas M. Schenck wants me to. Certainly, good pictures can be made in the East. They are not necessarily confined to Hollywood. Some of our finest pictures—'Goodbye, Mr. Chips,' 'The Citadel' and 'A Yank at Oxford'—were produced in England."

M-G-M has no plans at present for Eastern production, he added.

In addition to "The World We Make" and "Philadelphia Story," Katharine Hepburn play, which M-G-M has purchased, the company is considering two or three others, which

(*Continued on page 7*)

Industry Notables At 'Wrath' Preview

An audience including the Who's Who of the film industry as well as leaders of the Social Register and New York film critics packed the 600-seat Normandie Theatre last night for the first public showing of "The Grapes of Wrath," 20th Century-Fox film made from John Steinbeck's best selling novel.

Present at the performance, primarily a press preview, were editors of national magazines and fan publications as well as feature writers and artists.

Among the notables in the audience were Mr. and Mrs. Sidney R. Kent,

(*Continued on page 7*)

SAG Ballot Awards Extras More Power

Hollywood, Jan. 23.—Class A members of the Screen Actors Guild, by a vote of 420 to 31, passed the amendment to the Constitution and by-laws, awarding Class B members (extras and bit players) a greater measure of autonomy inside and outside of the organization, it was announced today. The amendment becomes effective at once.

Purely Personal

JOHN BALABAN, after a checkup at the Mayo Clinic in Rochester, Minn., is back at his desk in Chicago looking after theatre matters.

•

Dave Whalen of Republic is in Washington accompanying Gene Autry on a series of personal appearances. Autry tomorrow will be the guest of Mrs. Eleanor Roosevelt at the Ft. Myers, Va., Horse Show.

•

Herb MacIntyre, captain of the RKO Ned Depinet sales drive, and Harry Gittleson, editor of the company house organ, will return Feb. 5 from a tour of all exchanges in the United States and Canada.

•

Fritz Blocki, press representative for Jones, Linick & Schaefer, Chicago circuit, is taking a month's leave of absence. Blocki produces the "Court of Missing Heirs" radio show in his spare time.

•

Richard de Rochemont, managing director of the March of Time, Ltd., is due here today on the *Manhattan*, for conferences with his brother, Louis de Rochemont, producer of the reel.

•

Frankie Darro, Monogram star, arrives here today from a Midwestern personal appearance tour. He will spend a few days in town before appearing at the Tower in Camden, N. J.

•

Mary Howard of the cast of "Abe Lincoln in Illinois" will be the guest of Governor Johnson of Kentucky at a ball at the Hotel Cumberland in Middlesboro, Ky., on Friday.

•

James R. Grainger, Republic president, has left on a tour of Detroit, Buffalo, Toronto and Montreal exchanges. He is due back Monday.

•

Peter Levathes, assistant to Spyros Skouras, leaves with Mrs. Levathes today on the *Oriente* for a two-week trip to Havana.

•

Homer B. Snook, RCA Photophone reproducer sales manager, has returned from a business trip to the South and Midwest.

•

Ingrid Bergman is en route to Hollywood after a 10-day stay here on her return from a vacation in her native Sweden.

•

Mr. and Mrs. Seymour Borde are the parents of a girl, Ellen, born this week. Borde is a booker for RKO in Chicago.

•

E. V. Richards of Saenger Circuit is en route back to New Orleans after a brief visit at the Paramount home office.

•

Dr. and Mrs. J. B. Fishman of the Fishman Theatres in Connecticut leave this week for Miami Beach.

•

Lou Diamond, Arthur Hopkins, Erno Rapee, Ted O'Shea, Charles Casanave, Harry Sherman, Russell Holman and Max A. Cohen at Nick's Hunting Room in the Astor for lunch yesterday.

•

Charles E. McCarthy, Joe Lee, Harry Buxbaum, Herman Wobber, Ed Churchill, Robert Milton, Walter Huston and John Huston lunching at Sardi's yesterday.

•

Cresson E. Smith, Western and Southern sales manager for RKO, returned yesterday from a tour of exchanges.

•

Henry Woods, M-G-M checker in New Haven, is recuperating in a local hospital after an operation.

•

Ernst Lubitsch and Albert Deane of Paramount were among diners at Jack & Charlie's yesterday.

•

Sam Shain returns from Washington today.

Critics' Quotes . . .

"GONE WITH THE WIND" (M-G-M)

No puny adjectives fit "Gone With the Wind." It is the most lavish, probably the most magnificent, ever to come out of Hollywood. Certainly it is the biggest. . . . One is hardly conscious of the passing minutes and hours.—**Mildred Martin, Philadelphia Inquirer.**

For four hours, they (the audience) sat in rapt and undivided attention to a handsome, scrupulous movie that gives "colossal" new meaning. . . . Has received an almost reverent screen translation.—**Elsie Finn, Philadelphia Record.**

It came, it was seen, it conquered. Make no mistake about it, "Gone With the Wind" is the hit of movie history. This longest, costliest, most publicized of all photoplays is also an entertainment. Its narrative is continually engrossing.—**Philadelphia Public Ledger.**

It is a fetching commentary on human conflict. . . . Vivien Leigh plays the role magnificently, most of the time. . . . Well acted from top to bottom. . . . It is a moving and emotion-stirring screen adventure.—**J. H. Keen, Philadelphia Daily News.**

A remarkable faithful picturization of the novel. . . . An absorbing, magnificently pictured drama of human adventure. . . . This is not Hollywood's greatest picture.—**Laura Lee, Philadelphia Bulletin.**

"THE BLUE BIRD" (20th-Fox)

Shirley Temple is delightful as the naughty little girl. . . . "The Blue Bird" is a beautiful film. The sets are opulent and the photography gorgeous. It should prove an enchanting adventure for the youngsters. And their elders will have a dandy time, too.—**Robert Coleman, N. Y. Mirror.**

The film fantasy is a pictorial gem. . . . The settings are beautifully and artfully designed. . . . The adventures in the graveyard and the fiery forest are enough to frighten the small members of the audience, (but they) are few and far between.—**Kate Cameron, N. Y. Daily News.**

The original allegory about happiness cut to a bedizened and frequently embarrassing Hollywood pattern. . . . The film is ornately literal where it should have been magically suggestive.—**Howard Barnes, N. Y. Herald Tribune.**

As a children's show we suppose it is quite acceptable. . . . Has become even more earthbound in the manner of its screen translation.—**Frank Nugent, N. Y. Times.**

"ABE LINCOLN IN ILLINOIS" (RKO)

Raymond Massey brings to the screen—and makes him live again—America's greatest statesman. . . . I urge you to see it. . . . No typical Hollywood formula is followed. . . . Grover Jones made a brilliant movie version of Sherwood's Pulitzer Prize Play.—**Los Angeles Herald Express.**

A dignified, honest account of the young Abraham Lincoln. . . . Raymond Massey's portrayal of Lincoln is one that you will remember. . . . Ruth Gordon is marvelous as Mary Todd. . . . The picture is far too long.—**L. A. Examiner.**

A reverential interpretation. . . . Oddly narrative in its technique. . . . A sense of remarkable reality is conveyed.—**Edwin Schallert, L. A. Times.**

Harold Kline Heads New York Bookers

Harold Kline of the Cocalis Circuit has been elected president of the Motion Picture Bookers Club of New York.

Alec Arnswalder of M-G-M was named vice-president and Edward Susse of the same office, financial secretary. Other officers are: Ben Levine, United Artists, treasurer; Dora Fried, Producers Distributors Corp., recording secretary; Herb Richek, U.A., sergeant-at-arms.

Bernie Brooks of the Rosenblatt-Welt Theatres and Dan Ponticelle, Warners, were voted trustees. Ed Richter and Harry Margolies of M-G-M, Max Fried of Warners and Henry Suchman were named to the board of directors.

Dinner and the installation of officers will be held Feb. 5.

Newsreel Parade

News from the warfront in France concerns the record cold rather than battle. Submarine maneuvers off the West Coast, Murphy and Jackson sworn in, four U. S. liners junked, and heroes of the Squalus being rewarded are important happenings covered. Reels and their contents follow:

MOVIETONEWS NEWS, No. 39—*Squalus* heroes honored. Four liners junked in Maryland. Submarine maneuvers in Pacific. Record snow in Rome. Snow storm in Paris. Cold curtails air activities in France. Ice skating in Holland. French troops in West Africa get artillery practice. "Blue Bird" opening on Broadway. Lew Lehr. Joe Louis in training. Washington University oarsmen in training. Ski jumping at River Grove, Ill.

NEWS OF THE DAY, No. 237—Mines on British coast. Record cold in France. New U. S. subs in Pacific. Earl Browder convicted. Murphy and Jackson sworn in. Senator Borah dies. Hat fashions. Washington University crew training. Skiing in Wisconsin.

PARAMOUNT NEWS, No. 42—Browder found guilty, sentenced. Unity Mitford returns to England. Liners sold for scrap. Try new windmobile in Florida. Bobbies get new headgear for blackouts. Last rites for Borah. Honor men of *Squalus* rescue. Submarine fleet in defense maneuvers. Louis signs for bout with Godoy, both fighters in training. U. of Washington in rowing practice. Ski tournament in Illinois.

RKO PATHE NEWS, No. 54—Nation mourns Borah. Crew of scuttled Nazi liner detained in California. Unity Mitford returns to England. Diving heroes of *Squalus* rewarded. Murphy and Jackson take new jobs. University of Washington crew training. British mine sweepers in action. Ski jumping meet.

UNIVERSAL NEWSREEL, No. 843—Finns capture Soviet soldiers. Nation mourns Senator Borah. *Columbus* crew quitting U. S. *Squalus* heroes decorated. Murphy and Jackson take new offices. Liners ready for scrap auction. Girls don goofy swim suits at Miami. Crew of Washington University prepare for race. Girls fight in mud ring. Skiing. Pursuit plane crashes in test.

Berkson and Mills Form Screencraft

Screencraft Pictures, Inc., has been organized to distribute nationally through state right exchanges by J. S. Berkson and B. H. Mills, former Republic franchise holders in Albany, Buffalo and Detroit.

The company has ready for release "War Angels," with an all-woman cast; a series of six Tim McCoy westerns and a series of six Thrill-O-Dramas.

Berkson has left on a sales trip to Detroit, Cleveland and Cincinnati.

MOTION PICTURE
DAILY
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Gentlemen of the Jury:

Our case rests. The power and ability of a great studio is again revealed in the case of

"I TAKE THIS WOMAN"

(over)

We are prepared to state emphatically that "I TAKE THIS WOMAN" is one of the year's outstanding attractions. Screen it for yourself and we know your showmanship sense will agree.

We know that "I TAKE THIS WOMAN" will make you prouder than ever that you have an M-G-M contract. It shows how a great organization can come through. SPENCER TRACY gives one of the finest performances of his magnificent career.

HEDY LAMARR is a dream of beauty and her work will make the public and critics applaud her.

Congratulations W. S. Van Dyke II, for the splendid direction. Also James K. McGuinness for his screen play from Charles McArthur's story.

We know what we're talking about when we say that—

YOU'LL BE PROUD OF

SPENCER TRACY *and*
HEDY LAMARR *in*
"I TAKE THIS WOMAN"

(A Metro-Goldwyn-Mayer Picture)

'Wrath' Lures 600 Leaders To Premiere

(*Continued from page* 1)

Mr. and Mrs. Darryl F. Zanuck, Mr. and Mrs. Herman Wobber, Mr. and Mrs. Gene Markey, Joseph M. Schenck, Jane Darwell, Dorothy Lamour, Mr. and Mrs. Spyros Skouras, Mr. and Mrs. W. C. Gehring, Mr. and Mrs. William Kupper, Mr. and Mrs. William Paley, Charles C. Moskowitz, J. Robert Rubin, John J. O'Connor, Joseph Moskowitz, Mr. and Mrs. Howard Dietz, Mr. and Mrs. Barney Balaban, Frank Walker, Harry Brandt, Harry Katz, David Weinstock, Mr. and Mrs. Fred Meyers, Clatyon Bond, Mr. and Mrs. Charles Skouras, Joseph Bernhard, Jack Cohn, Joseph R. Vogel, Pascal Covici, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. Ernst Lubitsch, Mr. and Mrs. Cornelius Vanderbilt Whitney, Mr. and Mrs. Theodore Roosevelt, Mr. and Mrs. Herbert Bayard Swope, Mr. and Mrs. Max Gordon, Mr. and Mrs. Donald Campbell and Mr. and Mrs. Richard E. Dwight.

Among prominent magazine and newspaper writers present were Adela Rogers St. John, Kyle Crichton, Conde Nast, Pare Lorentz, Dorothy Kilgallen, Danton Walker, Louis Sobol, John Chapman, Leonard Lyons, Mark Barron, Homer Croy, George Tucker and Harry Hanson.

Metro Planning 52 Films Next Season

(*Continued from page* 1)

Mayer came here to see. Norma Shearer will star in "The World We Make."

In reply to a query whether M-G-M is adding any producers or directors, Mayer said: "We have a large and capable roster now, and we are adding the best production brains as fast as we can get them."

Mayer said that Pandro Berman's first M-G-M assignment has not as yet been decided. Berman, formerly RKO production executive, is due at the M-G-M studio May 1 as associate producer.

Whether the second part of "Northwest Passage" will be filmed depends on public reaction to the first part, based on Book 1, which is scheduled for Feb. 23 release, said Mayer.

Mayer plans to be here about a week and will go to Miami to confer with Nicholas M. Schenck, M-G-M president. He is accompanied by Mrs. Mayer and Howard Strickling, studio publicity director.

Kearney Testifies

BOSTON, Jan. 23.—Alexander Kearney continued his testimony today in the Morse and Rothenberg anti-trust suit against the major film companies. He will continue on the stand tomorrow. Kearney is assistant manager for the Shea circuit.

Lynn Farnol to Coast

Lynn Farnol, United Artists advertising and publicity director, will leave for the Coast this weekend, to be away several weeks. Mrs. Farnol will leave for Hollywood today.

40 Reunions Exploit '69th'; 1,200 at N. Y. Dinner Today

(*Continued from page* 1)

from Manila; Col. William J. Donovan, World War commander of the regiment; Brig. Gen. Alexander E. Anderson of the N. Y. National Guard, Jack L. Warner, vice-president of Warners, and James Cagney and Pat O'Brien, two stars of the film.

Duffy Statue Ceremony

By action of the New York City Council, today has been proclaimed "69th Day," the celebration beginning with memorial exercises at noon at the Times Square statue of Father Francis P. Duffy, late chaplain of the regiment. Bishop John F. O'Hara, former president of Notre Dame, and now supervisor of all Catholic chaplains in the U. S. Army, is expected to join Cagney and O'Brien at the ceremony.

Among those who will be present at the Waldorf tonight, in addition to the foregoing, will be:

Major Gen. William N. Haskell, Major Gen. Frank McCoy, Gen. Hugh A. Drum, Brig. General Rex B. Delacour, Irish Consul General Leo T. McCauley, Will H. Hays, Major Albert Warner, G. L. Sears, Joseph Bernhard, S. C. Einfeld, Carl Leserman, Mort Blumenstock, George Gordon Battle, Bernard F. Gimbel, Gen. William J. Costigan, Rev. John P. Boland, Judge Cornelius F. Collins, Jeremiah T. Mahoney; Martin Conboy, Col. Charles Burleigh, Comm. Charles Hahn, Capt. William G. Gibbon.

Hollywood Writers Fly Here

Also Lt. Gov. Charles Poletti of New York; Edward G. Robinson, Major Gen. John J. Phelan, Congressman James H. Fay, Irving Berlin, Comptroller Joseph McGoldrick, State's Attorney General John J. Bennett, and N. Y. Secretary of State Michael J. Walsh.

Hollywood correspondents, accompanied by Wayne Morris and Jeffrey Lynn, who flew in today via United Airlines for the dinner are: Sidney Skolsky of the New York *Post;* Paul Harrison, NEA; Edwin Schallert, Los Angeles *Times;* Jimmy Starr, Los Angeles *Herald-Express;* Harry Crocker, King Features Syndicate; Ralph Jordan, International News; Harry Mines, Los Angeles *Daily News;* Hy Gardner; Harry Friedman: Inez Robb; Whitney Bolton, *Morning Telegraph;* Erskine Johnson; Arthur Ungar and Herbert Stein.

Johnson, Kelly, Woods To Attend Chicago Dinner

CHICAGO, Jan. 23.—"The Fighting 69th" will be shown at a reunion dinner party at the Sherman Hotel tomorrow night. Among distinguished guests will be J. Monroe Johnson, Assistant Secretary of Commerce; Mayor Kelly, who designated tomorrow as "Rainbow Day" in Chicago and General Woods. Reunions will be held in many cities in the territory, including Milwaukee, Minneapolis, St. Paul and Springfield.

U. S. Legion Commander and Gannett at Rochester Party

ROCHESTER, Jan. 23.—A cocktail party and screening will be held tomorrow at the Powers Hotel. The guest of honor will be Raymond J. Kelly, national commander of the American Legion. "The Fighting 69th" will be screened. Among those present will be Frank Gannett, presidential candidate.

Bowron, Fitts, Dawson and Olson At Los Angeles Reunion

Los Angeles, Jan. 23.—In addition to a host of prominent guests headed by Gov. Olson of California, others to attend the "69th" reunion dinner are Mayor Bowron, District Attorney Fitts, and Judge Dawson. Station KECA will be the local outlet for the NBC broadcast.

High Officials to Address Reunion at Burmingham

BIRMINGHAM, Ala., Jan. 23.—Colonel Henry C. Woods, president of the Alabama State Association, and L. Y. Bird, president of the local Rainbow Division chapter, will head a large group of veterans who will meet tomorrow night. Their program includes speeches by high state officials who will be heard locally over WSGN.

Reunions in Other Cities

Reunions of the "69th" are scheduled in many other cities, among them being Washington, D. C., Kansas City, Baltimore, Orlando, Fla., Cleveland, Youngstown, Detroit, Oklahoma City, Denver, Mansfield, O., Marysville, O., San Diego, Lancaster, Pa., Montgomery, Ala., Des Moines and Danville, Ill.

Columbia Opposes U.S. Quiz of Officials

(*Continued from page* 1)

be forced to testify here, Frohlich continues, it would mean a disruption of the entire production program and a "consequent substantial loss."

Moreover, the affidavit argues, the government can obtain all its necessary information by answers to its interrogatories. The government should first be compelled to furnish its answers to Columbia's interrogatories served upon it before testimony of these officials are taken, Frohlich declares.

Finally, the affidavit contends that the government was seeking an examination in spite of the fact that it had failed to furnish any concise details of its charges against Columbia. No examination should be granted until the company was fully apprised of what violations of law were allegedly committed by it, the affidavit concludes.

William P. Farnsworth, head of the N. Y. Anti-Trust Division, reserved all comments until the date of the hearing. The government's notice of examination calls for the appearance of Columbia officials on Feb. 5. They, thus, are scheduled to be the first ranking company executives whom the government proposes to examine.

Indications are that other defendant companies will not oppose the government's examination of company officers, but where certain individuals may not be available requests to have them excused from examination will be made.

SAG in Attack On Neely Bill, Cites Dangers

(*Continued from page* 1)

ducer-distributor must not depart from synopsis on penalty of $5,000 fine and imprisonment.

"Here is a plan which would stop production temporarily, keep production in low gear and which would make good production all but impossible. It would lead to endless litigation over synopses."

House to Pass Neely Bill By 2-to-1 Vote, Says Cole

The Neely bill will be reported on the floor of the House late in the Spring and will be passed by a two-to-one vote, predicts Col. H. A. Cole, president of Allied States, who is in New York. If the Interstate Commerce Committee decides not to hold hearings, Cole sees earlier action.

Cole indicated that Allied will not wage an intensive campaign for passage of the bill inasmuch as it has the support of many public groups.

Abram F. Myers, chairman of the board, recently circulated a "white paper" among independent exhibitors and newspapers outlining the reasons why the measure should be supported.

"The state rights market will expand tremendously if the bill is passed, and there will also be expansion in production and exhibition," Col. Cole declared.

"Dissolution of the Motion Picture Patents Co. 25 years ago brought great expansion throughout the industry.

"When I entered exhibition in Marshall, Tex., in 1920, there were available 850 features a year from 23 exchanges in Dallas. Distribution has since contracted, and now there are available 450 features from 11 exchanges.

"Besides selectivity of product and making films available for exhibitors, the Neely bill, in my opinion, will open up new fields for producers and distributors."

Inter-Union Fight Won by Local 306

An inter-union dispute between Operators Local 306 and Empire State Operators Union has been decided in favor of 306 by the New York State Labor Relations Board.

Under the terms of the 1937 settlement between 306 and the I.T.O.A., the Arion (Samuel Rhonheimer) in Middle Village, L. I., was required to dismiss Empire projectionists and hire 306 men instead. Empire filed a complaint with the S.L.R.B. alleging that its men were discharged because of union affiliation. The board ruled that the 306 agreement was made in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration Is Near Completion

Arbitration of wage increase demands of Operators Union, Local 306, from the major circuits in the city is due to be completed at tomorrow's session. Approximately 500 pages of testimony have been taken and consideration of the evidence will begin as soon as both sides complete their evidence.

'Wind' Continues At Record Pace

"Gone With the Wind" continues to set box-office records for grosses and advance sales, M-G-M reports, while 29 additional engagements have been set, bringing the total of bookings to 207 in 190 cities.

In Detroit, where the film opens Thursday at two theatres, the advance sale is reported as $47,000, and in Baltimore advance ticket sales are $43,000 with all seats sold for the first week and 85 per cent for the second.

In Dayton a record house advance of $14,000 is reported; Memphis, $20,300; Rochester, $31,000; Washington, $34,600, and St. Louis, $42,000. Indianapolis reports $26,000, representing a 100 per cent sellout for the first week, 95 per cent for the second. Cleveland is said to be 95 per cent sold out for the first week, 85 per cent for the second, with total advance receipts of $31,000.

The picture again grossed more than $50,000 last week in Los Angeles, including $23,200 reported for the Carthay Circle and $29,000 for the United Artists.

Dembow to Share Duties with Netter

Sam Dembow, Jr., will share with Leon D. Netter the film buying and theatre operations duties presently handled by the latter when Dembow takes over his new post as a Paramount home office theatre executive, Jan. 29.

Barney Balaban, Paramount president, outlining duties to be assigned Dembow, said that the work of Leonard Goldenson and M. F. Gowthorpe, home office theatre executives, would not be affected.

Corporate and general problems of theatre policy, as well as real estate matters, will continue under Goldenson's supervision, and Gowthorpe will continue in charge of financial problems relating to theatres and certain phases of real estate and corporate matters.

Regulation of Bingo Proposed in Albany

ALBANY, Jan. 23.—Assemblyman Max Turshen of Brooklyn today introduced in the New York State legislature a proposal for the regulation of Bingo under the control of the Department of State. The game would be restricted to bona fide charitable, civic and similar organizations, established at least five years before application for a license to use Bingo.

The bill establishes a flat annual license fee of $100, plus a five-cent state tax on the first 50 cents charged for the Bingo card. The measure would prohibit the playing of Bingo more than four hours in any one day, playing after midnight or on Sunday. Misdemeanor penalties are provided for violation.

Disney Hearing Thursday

CHICAGO, Jan. 23.—The petition of Walt Disney Enterprises, Ltd., charging violation of an injunction issued in 1936 restraining United Biscuit Co. from making cookies of Disney cartoon characters, will be heard by Federal Judge Holly Thursday.

Canada Amusement Tax Plan Dropped

Toronto, Jan. 23.—The Dominion Cabinet has decided against the inauguration of a Federal amusement tax as a war time measure to be applied to tickets for all forms of entertainment throughout Canada, it is understood.

The new levy was slated for consideration at the session of Parliament which opens at Ottawa Jan. 25 but the idea has been dropped because it would duplicate the amusement taxes imposed by Provincial Governments.

Skouras and Chiefs Off for Coast Today

Spyros Skouras, head of National Theatres, and a group of circuit executives leave today for Los Angeles where they will attend the annual conference of division managers, beginning Monday.

In the group will be Charles Skouras, head of Fox West Coast, and Bud Lollier and William Leris of that circuit, who have been visiting here; William Powers, chief film buyer; Ed Zabel, film buyer, and John Healy, assistant to Spyros Skouras.

The meeting will concern itself chiefly with operating policies. Skouras plans to be gone about two weeks.

RCA Competitors Get Television Licenses

WASHINGTON, Jan. 23.—Otto S. Schairer, vice-president of RCA, told the F.C.C. today with respect to television patents that the company has offered licenses to competitors who are capable of producing reliable apparatus. About 50 receiver manufacturers are licensed for television and facsimile apparatus, and 11 for tubes, he said.

E. W. Engstrom, RCA research director, expressed confidence that a flexible television receiver could be built to avoid obsolescence and loss to the public if future developments result in different standards from those now in use.

Stations in Canada Fear 'Drowning Out'

MONTREAL, Jan. 23.—Fears that private Canadian radio stations will be drowned out by stronger American stations, as a result of the Havana treaty were expressed at the annual convention of the Canadian Association of Broadcasters here.

Permission will be sought to allow private Canadian stations to use the maximum amount of power permissible on the respective channels.

More than sixty delegates attended the session. Harry Sedgewick, president, reported that improved relations existed between private stations and the Canadian Broadcasting Corp.

Following directors were elected today: Harry Sedgwick, H. Gooderman, S. Neale Fredericton, Marcel Lefebvre, A. A. Murphy, H. R. Carson and G. Love.

Toronto Trade Unit Headed by Taylor

TORONTO, Jan. 23.—Circuit and independent theatre officials and film distributors have been elected to offices in the Toronto Board of Trade Film Section for 1940. Nat Taylor, general manager of 20th Century Theatres, and vice-president of the Independent Theatres Association, is the chairman of the section and Louis Rosenfeld, general manager of Columbia Pictures of Canada, Ltd., is vice-chairman.

Members of the executive board are: J. P. O'Loghlin, general manager of 20th Century-Fox Corp., Ltd.; B. Geldsaler, Famous Players Canadian Corp., and Harry Alexander, president of the Independent Theatres Association and manager of the Lansdown Theatre, Toronto, with F. D. Tolchard as secretary.

Albany Allied Intact Despite Resignations

Resignation of six members does not mean the disruption or abandonment of the Albany unit of the Allied Theatre Owners of New York, according to Edmund Souhami, organization counsel.

Souhami attended the meeting in Albany Monday at which the resignations were submitted after the unit went on record for the Neely bill, contrary to the majority vote at a recent state meeting in Syracuse.

A meeting will be held shortly at which a successor will be elected to Mitchel Conery, regional vice-president, who was one of those resigning.

Souhami said that the organization has about 200 members throughout the state. In addition to Albany, units are maintained in New York City, Syracuse and Buffalo areas.

Allied States will not take advantage of the present situation as an opening to renew efforts to organize an affiliated organization in New York State, said Col. H. A. Cole, national president, yesterday in New York.

British Withdrawal Pact Looms Today

Formula for apportioning among seven major companies individual shares of the exportable $17,500,000 of their British revenue may be agreed upon today by company heads.

A formula which apportions a withdrawal share for each company equivalent to its percentage of the total business done by the seven companies in Britain during the past two years was approved by company heads and the M.P.P.D.A. a week ago. In the meantime, minor details of the agreement have been revised and new ones added, delaying its closing.

Century Executives Off for Lake Placid

Fred Schwartz, Joseph Springer and Moe Eisenberg, Century Circuit executives, leave today for a "long weekend" at Schwartz's Camp Timber Doodle, Lake Placid, N. Y.

Arthur, Emanuel and Charles Silverstone, J. J. Milstein, Harry Kosiner, Monroe Greenthal of United Artists and Arthur Baker of Century will join them tomorrow.

Radio Brevities

Capital Gets Radio Columns

GREATER cooperation between newspapers and radio seems to be indicated in Washington where, until a few weeks ago, there were no radio columns in the daily press. Recently, WJSV, the CBS outlet there, [illegible]ranged to give the Washington *P[illegible]* air time in return for a daily radio column edited by Bill Slocum of the WJSV staff. Subsequently, WOL, Mutual's outlet, made a similar deal with the *Times-Herald*, with WOL's Walter Compton doing a daily stint. The result is an amiable solution of an old feud with everybody gaining.

Free Radios for Schools

San Francisco schoolrooms will receive free radios as a result of Philco's advertising campaign. Under a deal worked out by KSFO, San Francisco, all "trade-ins" will be reconditioned by Philco service men and turned over to the public schools.

Program News

General Mills will sponsor "Beat the Band," a new type of quiz show, over NBC-Red beginning Sunday at 6:30 P. M. The show will feature Ted Weems' band as the experts who are required to play a song in answer to a question submitted by the audience. . . . "Dinner at Home," a new series of programs on food and dining habits, will be started over WOR by Gaynor Maddox on Monday, Feb. 12, at 9:15 P. M. . . . Raymond Gram Swing, Mutual's news commentator, will drop his Tuesday and Thursday broadcasts beginning Feb. 12. . . . "Ski Conditions," a weekend weather service for ski fans, has been increased from one five-minute program to two ten-minute programs over WHN by Pennsylvania Drug Co., the sponsor. . . . "So You Think You Know Music" returns to the CBS network next Sunday at 2:30 P. M. . . . U. S. Smoking Tobacco has renewed "Pipe Smoking Time" over CBS.

Short Wave Auto Sets

An automobile radio to receive short wave broadcasts for motorists who travel out of the range of the usual medium wave stations has been announced by Philco. The sets will be sealed to prevent reception of police broadcasts because of the various State laws which forbid such reception.

Personalities in the News

Charles Stark, CBS commentator, has been engaged by the Feagin School of Dramatic Arts as director of the radio department. . . . Herbert Marshall, Ingrid Bergman and Gail Patrick will appear in "Intermezzo" on the "Lux Radio Theatre" next Monday at 9 P.M. . . . Bob Edge, CBS expert on hunting and fishing, will be guest of honor of the Quebec Anglers Association on Jan. 31. . . . Roscoe B. Stockton, production manager at KOA, Denver, will resign Feb. 1 after 11 years of service. John B. Lyman will succeed him. . . . Daniel C. Studin has been elected president of Star Radio Programs, Inc. . . . Paul Gerrits, comedian, is reported slated for a commercial show over NBC with Brunswicke-Balke-Callendar as sponsor.

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Intelligent
and
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to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V 47. NO. 19 NEW YORK, U. S. A., THURSDAY, JANUARY 25, 1940 TEN CENTS

Para. Will Cut '40 Product; 34 on Own Lot

10 or 12 Outside Pictures To Augment Releases

A total of 34 to 36 features will be produced on the Paramount lot next season, Y. Frank Freeman, vice-president and studio head, said yesterday at the conclusion of several days of production conferences at the home office.

The company's release schedule for 1940-'41, will be augmented, however, by 10 or 12 additional pictures, including Harry Sherman's "Hopalong Cassidys," which are not made on the Paramount lot, and several productions to be made in Paramount's British studios.

This represents a reduction of 13 to 17 pictures, compared with the current season's schedule of 61, including westerns and British-made pictures.

The exact number of British productions which will find a place on the Paramount release schedule here has not been determined yet, but it is known that they will not number more than three or four, thus holding the total new season releases to a maximum of 44 to 48.

Freeman ascribed the reduction to the disturbed market conditions

(*Continued on page* 16)

British Newsreels Escape Censorship

London, Jan. 24.—Despite pleading in the House of Lords today, Lord Denman's motion demanding Government censorship of British newsreels was withdrawn.

The Government delegated the reply to a minor spokesman, the Marquess of Dufferin, who stressed the need for safeguarding liberties. He asked that neither the press nor the screen be penalized for individual lapses.

The Government spokesman scored the Paramount newsreel, whose clip on the return to England of Unity Mitford from Germany was the cause of the threatened censorship. He declared, "As an example of sadistic brutality it would be hard to beat." However, he said, though deplorable, it was no worse than the press treatment generally.

He promised to study the practicability of prohibiting further circulation of the offending newsreel item.

Italian Film Decree Called Harm to U. S.

The new Italian films decree which went into effect this week provides no relief for American distributors from the monopolistic and financial features of the previous Italian regulations "and may be even worse for American distributors than were those regulations," an official industry spokesman stated yesterday

In consequence, it was said, there is even less prospect of the American companies returning to the Italian market now than there was before.

Radio Giveaways Cited to Congress

Washington, Jan. 24.—Giveaway radio programs were called to the attention of Congress with the insertion in the *Congressional Record* by Representative Tenerowicz of letters from Michigan exhibitors complaining of the "Pot of Gold" program.

Tenerowicz said: "These letters assert that incalculable losses in revenue are being suffered by this legitimate group of taxpayers every Tuesday night when this particular program takes to the air. To me it is a palpably unethical intrusion and a matter that deserves immediate 'policing' by the commission."

Tenerowicz stated that Cooperative Theatres of Michigan has filed a complaint against the program of the F. C. C., but added that "it is my understanding that because of legal loop-

(*Continued on page* 16)

U.S. DRAFTS IDEAS TO BANISH ABUSES

Commerce Dept. Report Is Result of Parleys; Hint Negotiations

By SAM SHAIN

Washngton, D. C., Jan. 24.—A report on the motion picture industry, embracing a program designed to eliminate "abuses" in the business, has been formulated by the Department of Commerce and presented to the Department of Justice for its immediate consideration.

This report, completed a week ago, is the result of conferences which commerce department officials held with important industry executives last year.

At the Department of Justice, officials described parts of the report as recommending ideas "revolutionary" in character. Authorities declined to reveal the contents.

Observers believe that the Department of Commerce report may be the beginning of an effort to inaugurate negotiations on behalf of the industry to correct abuses and thus satisfy the Government's anti-trust campaign objectives.

Officials of the Department of Jus-

(*Continued on page* 7)

35 Loew Theatres Open 'Wind'—First Big-Sized Booking

Today and tomorrow the trade will get its first general booking impact of "Gone With the Wind," when the picture begins engagements in 35 Loew theatres, besides numerous other spots around the country. Until now the picture has played in only eight or 10 selected cities.

In these latter locations, the picture was the excuse for a civic celebration, and thus far there is no letup in that enthusiasm, according to home office reports as late as last night when the final Loew booking checkup was made.

Company officials report that in one city where the picture hasn't even been advertised or even booked, there has been a spontaneous advance ticket demand amounting to more than $50,000.

The advance sale at the Brooklyn Metropolitan up to last night was reported at $39,000. Many "Gone With the Wind" dinner parties have been arranged following the premiere. Brooklyn debs will be hostesses at the theatre. A National Guard regiment will form a guard of honor for Ona Munson who appears in the picture.

Governor Moore of New Jersey will headline celebrities at the Jersey City premiere. The theatre is com-

(*Continued on page* 7)

'69th' Reunion Hails Film, Heroes of War

By AL FINESTONE

Climaxing a whirlwind advance exploitation and publicity campaign for Warners' "The Fighting 69th," a banquet last night at the Waldorf-Astoria developed into an impressive tribute to the famous World war regiment and to producers of the picture.

More than 1,300 persons, many of them medal-bedecked, uniformed military leaders, attended the dinner—the key reunion of 40 similar assemblages of Rainbow division members throughout the country. At each of them, "The Fighting 69th" was screened and acclaimed.

A 40-piece band, accompanied by a color guard, played military airs, among them being the regiment's song and popular war-time tunes.

Seated on the dias were Col. John J. Mangan, who served as master of ceremonies; Bishop John F. O'Hara, Governor Lehman, Brig. Gen. Alex E. Anderson, Col. William J. Donovan, Maj. Gen. W. N. Haskell, Gen. Hugh A. Drum, Will H. Hays, Jack L. Warner, S. Charles Einfeld, Jeremiah T. Mahoney, Leo T. McCauley,

(*Continued on page* 16)

'Wrath' Grosses $9,000, Breaks Record at Rivoli

Darryl Zanuck's film version of John Steinbeck's novel, "The Grapes of Wrath," opened at the Rivoli on Broadway yesterday and smashed the theatre's all-time opening day record with an estimated gross of between $9,000 and $9,500 for the day. It is playing on a continuous run policy.

The house was opened in 1917, and the previous opening day record was established by Charlie Chaplin's "Modern Times" in 1936. By comparison, the Chaplin film ran 95 minutes, while "The Grapes of Wrath" runs two horus and ten minutes.

Up to 5 P.M. yesterday, the 20th Century-Fox feature had grossed $3,100, and had played to approximately 6,700 persons. The theatre seats 2,095.

With clear, cold weather yesterday morning, the crowds started forming before the house opened at 9:30, when the price was 35 cents. The S.R.O. sign went up shortly thereafter, and the sale of tickets was halted temporarily at 10:15. Another box-office was set up to handle the crowds for the second show.

The price went to 55 cents for the second show, 65 cents at 2:15 and 99 cents, the evening price, at 6 P.M. During the morning the crowd, two deep, lined Broadway from 49th to 50th Sts., and extended around to 7th Ave. on 50th St.

Purely Personal

BARNEY BALABAN, Paramount president, will leave for Florida on Sunday for a vacation of several weeks.

•

SIDNEY PHILLIPS, TOM ROBINSON, HARRY SHERMAN, SAM SHAIN, HARRY BRAND, TED O'SHEA, GEORGE WELTNER, JOSEPH MOSKOWITZ, WALLY OWEN, OWEN DAVIS, JIMMY STARR, BOB WEITMAN and TOM CONNORS at Nick's Hunting Room in the Astor for lunch yesterday.

•

Y. FRANK FREEMAN, LEONARD GOLDENSON, AUSTIN KEOUGH, LOUIS PHILLIPS, ED SCHNITZER, CHARLES E. MCCARTHY, HERMAN WOBBER, OTTO PREMINGER, BENNY DAVIS, BOB CHESTER, LARRY ADLER and HELEN LYND lunching at Sardi's yesterday.

•

BUDD ROGERS, vice-president and general manager of Alliance Films, and MRS. ROGERS celebrate their 20th wedding anniversary Saturday simultaneously with the graduation of their son, RICHARD, from Junior High School.

•

GLORIA JEAN, Universal player, will leave the Coast Friday to attend the President's Birthday Ball and a White House party in Washington Tuesday. She will return to the Coast on Wednesday.

•

LEO ABRAMS, Universal short subject sales manager, and P. T. Bana, district manager, were in Des Moines yesterday conferring with J. J. SPANDAU, exchange manager.

•

MRS. A. R. HAMMERSLAG, wife of A. R. HAMMERSLAG, who operates the Pace Press, became the mother of a girl Tuesday at Woman's Hospital.

•

CHARLES STERN, United Artists Eastern district manager, left yesterday for a brief vacation at Camp Timber Doodle, Lake Placid, N. Y.

•

ZEB EPSTEIN, managing director of the N. Y. Strand, is convalescing after an emergency appendectomy at the Polyclinic Hospital.

•

EMIL FRANKE, manager of the RKO Orpheum in Des Moines, has returned to his office after a siege of influenza.

•

MAURICE GOLDSTEIN, M-G-M salesman in Boston, is the father of a girl born to MRS. GOLDSTEIN in that city.

•

LEE GOLDBERG, of the Big Features Rights Exchange, Cincinnati, left for his office last night after a visit here.

•

JACK L. WARNER, vice-president of Warners, leaves for the Coast tomorrow with MRS. WARNER.

•

JACK KIRSCH, president of Illinois Allied, has returned to Chicago after a visit here.

•

HARRY BRANDT is in Miami. WILLIAM BRANDT leaves for Florida next week.

•

WILL H. HAYS addressed the New Rochelle Men's Club Tuesday night.

•

JOHN D. HERTZ, JR., left yesterday by plane for Miami Beach.

"Grapes of Wrath"

An Editorial Viewpoint

THE motion picture version of "Grapes of Wrath," anxiously looked forward to by advocates of the Left and timorously awaited by others who view with concern the adaptation of material of this sort to the screen, has just opened at the Rivoli theatre, New York City.

Both groups will find in the Darryl Zanuck production grounds for their alternately anticipated anxiousness and apprehensions. The picture is a new and emphatic item of evidence in support of the frequently repeated assertion in these columns that the entertainment motion picture is no place for social, political and economic argument. It is a stark and drab depiction of a group of incidents in human misery, told against a chaotic jumble of philosophic and sociological suggestion and argument.

The suggestion and argument are the creation of John Steinbeck, author of the story. The producer is simply the translator of what, or some of what, he found in the story. That Mr. Zanuck and his collaborators did very well indeed with what they set out to handle is graphically demonstrated throughout the production. The screen narration by Nunnally Johnson is a creditable effort. The directorial genius which John Ford has stamped upon a considerable number of American productions is here again conspicuous. The mistake is not in the execution for screen purposes of the Steinbeck story. It is in its selection in the first place as material suitable for the screen.

The audience import of the picture—inevitably because of the subject matter upon which it was based—becomes a demagogic preachment. If the conditions which the picture tends to present as typical are proportionately true, then the Revolution has been too long delayed. If, on the other hand, the picture depicts an extraordinary, isolated and non-typical condition and tends to persuade an audience that it is typical, then no small libel against the good name of the republic has been committed. One contemplates with little pleasure, indeed, the impression of these United States and our government, of, for and by, which this subject may create in other countries. This dilemma is in no sense an unique creation of this picture. It is the inevitable result of attempting theatrically to deal with problems which the necessities and limitations of the medium render impossible of factual, analytical and faithful treatment. It is this very shortcoming of the medium which makes it so attractive to those who wish to stampede the public emotionally rather than lead it rationally. It is because of this that the propagandists seek so ardently to make the screen their soapbox.

It may well be said that the producer of this subject exerted himself shrewdly in the selection of incidents from the original story and in the treatment of them. Much of the coarseness, vulgarity and all of the filth and obscenity have been chipped away. But it may be wondered why in the first place such an unpromising field of material was prospected. The answer perhaps is a situation of reaction rather than initiative. Pressure has been heavy and unrelenting. Mr. Zanuck, while issuing a series of fine popular entertainments, probably had the term "escapist" hissed so often in his ear that he finally—and we hope reluctantly—decided to give them that which they like loosely to label as "significant." This he has done and well done.

There remain, however, to be measured the consequences to the screen and the consequences to reasoned judgment on those problems—political, social, economic and religious—which the screen play, guided by the heavy and designing hand of John Steinbeck, treats with.

M. Q.

Query Hammons Feb. 29

Examination of Earle Hammons, former president of Grand National Pictures, will be held at a meeting of creditors on Feb. 29. The examination was adjourned yesterday due to the inability of Joseph Dannenberg, attorney for the trustee, to be present. Hammons will testify on operations of the company.

Form Realfilm, Inc.

Realfilm Productions, Inc., has been formed to produce documentary, commercial and other films. Sidney Kaufman is president, John Ferno in charge of production, and Leo Mittler in charge of theatrical releases.

Coney Island House Destroyed by Fire

Coney Island's landmark theatre, the Mardi Gras, erected in 1902 as a dance hall and a few years later converted into a film house, was destroyed by fire yesterday morning.

George Asemacopoulous, operator of the house for the past 18 years, estimated the damage at "over $50,000."

The Mardi Gras was Coney Island's oldest theatre as well as one of the oldest in Brooklyn. It was the restaurant-movie type, purchase of food or a beverage including the admission. Seating capacity was about 1,000.

25 New Films Now Shooting In Hollywood

HOLLYWOOD, Jan. 24.—Twenty-five pictures were before the cameras this week, as nine pictures started and seven finished. Twenty-two are being prepared and 65 are being edited.

The tally by studios:

COLUMBIA—Finished: "Blondie on a Budget."
In work: "Too Many Husbands," "Men Without Souls."
Started: "The Doctor Takes a Wife."
M-G-M—In Work: "40 Little Mothers," "Hooray, I'm Alive."
Started: "Two Girls on Broadway," "Edison, the Man," an untitled Dr. Kildare picture.
MONOGRAM—Started: "Rhythm of the Rio Grande."
PARAMOUNT—In Work: "Down Went McGinty," "The Woman from Hell."
RKO—Finished: "The Primrose Path," "Irene."
In Work: "My Favorite Wife."
ERWARD SMALL—Finished: "My Son, My Son."
20TH CENTURY-FOX—Finished: "Dance with the Devil," 'Hotel for Women No. 2."
In Work: "I Was An Adventuress," "Viva Cisco Kid."
Started: "Sailor's Lady," "Earthbound," "Twinkle, Twinkle, Little Star."
UNIVERSAL—In Work: "It's a Date," "Black Friday," "The House of Seven Gables."
Started: "Enemy Agent."
In Work: "We Shall Meet Again," "Saturday's Children" (formerly "Married, Pretty and Poor), and "Three Cheers for the Irish."

Associates to Study Ellis' 1-Vote Victory

Motion Picture Associates directors will meet next Tuesday to review the recent election in which Jack Ellis was reelected president over Morris Sanders by a vote of 62 to 61.

Should the board find that the election was improperly conducted, it may order a new vote. The question hinges on whether the election was valid because one member whose ballot was destroyed failed to cast another. A protest was filed by several members who claim that the election should have been declared a tie.

Sanders, as chairman of the board, called the directors' meeting on Ellis's instructions. Although both are ex-officio board members, neither will attend the meeting. Members of the board are Harry H. Buxbaum, William Stein, Seymour Schussel, Jack Hattem and David Levy.

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YEE-OW!

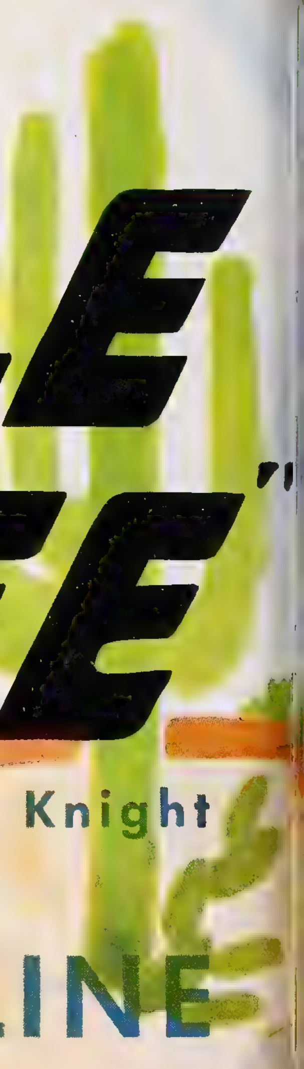
Here They Are!

-IN THE BIGGEST MONEY-MAKER OF ALL SHOW TIME!

MAE WEST

YIPPEE!

IN UNIVERSAL'S ROOTIN', HOLDOVER TOOTIN', SAGA-DAGA OF THE WEST!



"MY LITTLE CHICKADEE"

With Joseph Calleia · Dick Foran · Donald Meek · Fuzzy Knight
Margaret Hamilton · Ruth Donnelly

DIRECTED BY EDWARD CLINE

PRODUCED BY LESTER COWAN

YEE-OW! RIDE THAT SHOWMANSHIP!

W.C. FIELDS

YAHOO!

OUT WEST—*where Mae has room for her "hip-notic" ways!*

WAY OUT WEST—*where the mighty Bill Fields can dodge with the best!*

WAY, WAY OUT WEST—*where the funniest twain in hic-history meets and shakes every tepee to its baggy foundation.*

ADDLE WITH UNIVERSAL, PARDNER!

IT'S A TRAIL OF GOLDEN DATES!

Starting FEBRUARY 9th

NATIONAL RELEASE!

So Hop on Your Pinto, and Reserve a Print-o... at Your Universal Exchange, NOW!

35 Loew Theatres Open 'Wind'—First Big-Sized Booking

(*Continued from page* 1)

pletely sold out for the opening which will be the city's most brilliant social event of the Winter.

In Newark, another glittering [illegible]miere will take place with the ad[illegible]ce sale bringing in $28,000.

Loew's Stillman at Cleveland is all decorated for its premiere. It is selling tickets into the third week with a $36,000 total.

New Orleans is getting as excited about "Gone With the Wind" as it is for its annual Mardi Gras. The Hotel Roosevelt is staging a "Gone With the Wind" ball. The sale of reserved seats has already yielded $30,000.

10,000 Circle Block For Seats to 'Wind'

It's Regents' examination week in the city's schools, and when the youngsters have no examinations they are free.

That's one reason why 10,000 persons tried to get in to see "Gone With the Wind" at the Capitol yesterday. Composing a six-deep line encircling the block, they clogged traffic and provided police reinforcements with a real problem.

Even the smaller cities like Springfield, Mass., New Haven and Hartford, Conn., will witness elaborate premieres.

At Washington, D. C., the "Gone With the Wind" premiere will be a headlining society event. The advance sale has hit $40,000. Baltimore is a great deal more enthusiastic, its advance sale measuring up to $48,000. Wilmington, Del., and St. Louis will have distinguished premieres, too.

U. S. Drafts Ideas To End Trade Evils

(*Continued from page* 1)

tice, however, said that the report has no bearing on the New York anti-trust suit which is scheduled to come to trial on May 1 before U.S. Judge Goddard. The suit is definitely going to trial, the Department of Justice emphasizes.

The suit can be ended without a trial if and when the motion picture industry presents to the Government specific proposals which satisfy the Federal objectives in the case, it was declared. The Government also would demand that these proposals be incorporated in a consent decree approved by the U.S. court.

Washington officials expressed, as an "uncompromising objective," the demand that production and distribution companies must divest themselves of their theatre ownership and operation.

Thus far, the industry has not submitted any definite proposals to the Government for the cancellation of the New York suit, although close to 100 conferences of one kind or another have been held on matters pertaining to the litigation.

Hollywood Review

"The Grapes of Wrath"

(20th Century-Fox)

HOLLYWOOD, Jan. 24.—John Steinbeck's best-selling book comes to the screen with little change. The film is, as the book was, a candid presentation of the plight in which dispossessed farmers of Oklahoma and thereabouts found themselves when they loaded their belongings aboard a jallopy and headed for California in quest of the work too many of them needed too badly.

It was not a pretty book and it is not a pretty film. Most people didn't leave the book around for the kiddies to pick up casually and nobody should handle the picture less carefully. The picture lacks the ugly one-syllable words of the book but not the ideas they represented nor the situations in which they were spoken.

It has been said that John Steinbeck lived with the people of his book for something like two years before putting pen to paper, knew them and their circumstances as intimately as if he were one of them. If he had taken along a camera and set it up at appropriate intervals he would have come back with just about the picture that Darryl F. Zanuck has produced, granting, of course, that the things Steinbeck reported are the things that were there.

The picture, directed by John Ford from a screenplay by Nunnally Johnson, which virtually rewrites the book, is strictly in the newsreel manner, presenting its subject matter without benefit of glamor, technological or photographic. It is a device sometimes profitable with respect to story points, sometimes costly.

Zanuck's fidelity to the Steinbeck text, within such limitations as he saw fit to impose in the interests of decency, is complete as far as it goes. The story stops, however, with the disintegrating Joad family on its way to Fresno and the further and final disasters which, in the book, awaited them there.

As is rather well known, the Joad family of the Steinbeck book were farmers "pushed off" the lands of their ancestors by the owners into whose hands they passed when the profits of working the land became too meager to support share croppers. The film lays blame for this state of affairs upon dust storms and tractors.

The grief of the family as it leaves for California, the sorrows that come to it en route, the confusion and despair in which the family finds itself as money runs out and as organized resistance defeats their efforts to find work with which to reestablish the home unit in California, are plainly and often eloquently depicted. Many of the incidents are individually tragic and the whole course of the story is downward.

There are few relieving comedy touches and one of these has to do with the two Joad children's discovery that what they have believed to be a shower bath is a toilet.

Performances are realistic in consonance with the manifest Zanuck determination to produce a graphically realistic picture of a drab subject. Most prominent in the cast are Henry Fonda, Jane Darwell, John Carradine, Russell Simpson, Charley Grapewin, John Qualen, Doris Bowdon, Zeffie Tilbury and O. Z. Whitehead. Many other well known players participate.

Running time, 128 minutes. "A."* ROSCOE WILLIAMS

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* *"A" denotes adult classification.*

'Hunchback' Draws $9,500, New Haven

NEW HAVEN, Jan. 24.—"Hunchback of Notre Dame" took $9,500 at the Loew-Poli. "Destry Rides Again" and "Main Street Lawyer" took $6,500 in nine days at the Paramount.

Estimated takings for the week ending Jan. 19:

"Swanee River" (20th-Fox)
"Joe and Ethel Turp Call on the President" (M-G-M)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)

"Hunchback of Notre Dame" (RKO)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $9,500. (Average, $8,000)

"Destry Rides Again" (Univ.)
"Main Street Lawyer" (Repub.)
PARAMOUNT—(2,348) (35c-50c) 9 days. Gross: $6,500. (Average, $4,000)

"A Child Is Born" (W. B.)
"Oh, Johnny, How You Can Love" (Univ.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $4,500. (Average, $5,000)

'Four Wives' Gets $4,800 in St. Louis

ST. LOUIS, Jan. 24.—Zero weather again crippled St. Louis business—the third week that has been affected by bad weather. "Four Wives" and "Private Detective" took $4,800 at the Missouri.

Estimated takings for the week ending Jan. 18:

"The Housekeeper's Daughter" (U. A.)
"The Secret of Dr. Kildare" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $12,500. (Average, $13,000)

"Hunchback of Notre Dame" (RKO)
FOX—(5,038) (25c-40c-55c) 5 days. Gross: $5,000. (Average, 7 days, $11,000)

"Gulliver's Travels" (Para.)
"Laugh It Off" (Para.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $10,000. (Average, $11,500)

"Four Wives" (W. B.)
"Private Detective" (W. B.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,800. (Average, $4,000)

Frigid Wave, Holdovers Hit Loop Gross

CHICAGO, Jan. 24.—"Raffles" at the United Artists and "The Return of Dr. X" at the State-Lake and "Swanee River" at the Chicago did fair business. The extreme cold weather and holdovers cut into grosses deeply.

Estimated takings for the week ending Jan. 17-20:

"Intermezzo" (U. A.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 3rd week. Gross: $3,000. (Average, $6,000)

"Swanee River" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $26,000. (Average, $32,000)

"The Great Victor Herbert" (Para.)
GARRICK—(900) (35c-40c-65c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)

"Main Street Lawyer" (Repub.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,200. (Average, $13,000)

"Hunchback of Notre Dame" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 3rd week. Gross: $8,000. (Average, $12,000)

"Gulliver's Travels" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 4th week. Gross: $6,600. (Average, $11,000)

"The Return of Dr. X" (W. B.)
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Henry Armetta and Revue. Gross: $13,300. (Average, $12,000)

"Raffles" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)

First Trust Hearing Feb. 2 at Nashville

Initial hearing in the Government's anti-trust suit against Crescent Amusement Co., Nashville, and major producers and distributors is scheduled for Feb. 2 in U. S. District court at Nashville.

Defendants will enter motions for a bill of particulars from the government, for a more specific bill of complaint, and for a 40-day extension of the time for defendants to answer the Federal complaint.

In line with the government's request that defendants in the Federal anti-trust suit in New York agree to accept uniform replies to the seven sets of interrogatories served on the government by the defendants, a consolidated list of interrogatories has been prepared by defense counsel which combines the essential features of the original seven sets.

If all defendants approve the consolidated list, the government's task of answering defendants' interrogatories will be greatly facilitated as it will be necessary for the government to answer only the one set instead of seven separate lists of interrogatories, each numbering approximately 55 to 70 queries.

Davidson Ad Head For Film Alliance

Sidney C. Davidson has been appointed advertising and publicity director for Film Alliance of the U. S. by Nat Wachsberger, vice-president. Davidson formerly headed exploitation for Warners and worked at the World's Fair.

Norman Elson, sales manager, has left for a business trip westward which will take him to Hollywood.

All-time opening record of New York's Rivoli smashed by biggest business in entire 22-year history of theatre!

THE
GRAPES
OF
WRATH

20th
CENTURY
FOX

ARENA BAR
BEER
ELECTRIC
SHINE
5

THE GRAPES OF WRATH
by John Steinbeck
ARTISTS
DARRYL F. ZANUCK'S
THE GRAPES OF WRATH
by JOHN STEINBECK
THE GRAPES OF WRATH
Lindy's

• Theatre and Personnel Changes •

Shift Warner Managers

Philadelphia, Jan. 24.—Sam Tietelman, manager of the Columbia, has been transferred to a similar post at the Commodore. John Satheroff, Commodore manager, moves to Tietelman's place at the Columbia. Raymond Burke, chief of service at the Uptown Theatre, has been promoted to assistant manager at the Bromley. All are Warner houses.

Opening Emporia Theatre

Kansas City, Jan. 24.—Jack Johnston, who formerly operated the Ritz at McPherson, Kan., is opening a new house at Emporia, Kan., this Spring. Work is expected to start on the remodeling of a building in downtown Emporia this month. The house, costing $20,000, will seat over 450.

New Theatre for Baton Rouge

Baton Rouge, La., Jan. 24.—A. J. Higgenbotham announces early construction here of a new theatre to seat 2,200. The house, to be named the Hart, will cost approximately $275,000 and will be operated by Paramount-Richards division of the Saenger Theatres Corp.

Reopens Remodeled Theatre

Denver, Jan. 24.—After spending $10,000 in remodeling the Bideawee, J. J. Goodstein has reopened it as the Lincoln. This name was picked because of its nearness to a proposed federal housing project to be known as Lincoln park.

Leases House in Arkansas

Stamps, Ark., Jan. 24.—The State has been leased to Cecil Kelley, theatre operator of Plain Dealing, La. New equipment is to be installed and the theatre will open shortly. The State formerly was operated by B. R. McLendon of Atlanta.

20th-Fox Promotes Wahl

Oklahoma City, Jan. 24.—Donald Wahl, formerly assistant ad sales manager at the 20th Century-Fox exchange here, has been promoted to ad sales manager in Memphis. Ross Howard has been named new assistant here.

Closing Kansas House

Kansas City, Jan. 24.—Page Huston, Wichita, Kan., exhibitor, is closing the Crawford there on Jan. 27. The house is going dark temporarily due to poor business induced by bad weather and snow.

Reopening K. C. Theatre

Kansas City, Jan. 24. — W. H. Johnson is reopening the Prospect, neighborhood house here, which has been dark for a year or so. The theatre is being redecorated for opening about Feb. 1.

Remodeling in Arkansas

Kansas City, Jan. 24. — Ernest Conard is rebuilding and reequipping the Dixie at Huntsville, Ark., which burned recently.

Moseley Remodels House

Picayune, Miss., Jan. 24.—W. L. Moseley, manager of the Ritz, plans to remodel the house, including new seating.

Interstate Circuit Changes

Austin, Texas, Jan. 24. — Recent personnel changes in Interstate Circuit follow: Manager Jesse Melinger is transferred from the Texas to a similar position at the Varsity, while Gerald Raines, assistant exhibitor of the State, is moved as head of the Texas.

Charles Root has been shifted from the Varsity to the Queen as manager and Ralph Park, Austin football star, is now affiliated with the Paramount service staff.

Former chief of service at the Queen, J. T. Woods, becomes assistant manager at the Capitol, with Jeff Wolf, replacing Woods.

Opens in Connecticut

Cheshire, Conn., Jan. 24.—Natale DiFrancesco has opened Cheshire's first theatre, the 499-seat Cheshire. DiFrancesco formerly operated the Annex, New Haven, which is now operated by Al Pickus as the Fairmount.

Michell Joins N. S. S.

Seattle, Jan. 24.—George Mitchell, formerly of Los Angeles, has arrived here to join National Screen Service as salesmen covering eastern Washington, northern Idaho and Montana. He succeeds A. J. Sullivan, resigned.

Loew Renovating in Hartford

Hartford, Conn., Jan. 24.—Loew's, Inc., will complete installation of new sound, new electric fixtures, furniture and redecoration of the Palace here on Feb. 2, when the house reopens.

Boren Gets Two More Houses

Memphis, Texas, Jan. 24. — Hollis Boren, operator of two houses here, has added theatres at Tulia, Dimmitt, and Jacksboro, to his properties.

Plans Bridgeport House

Bridgeport, Conn., Jan. 24.—A. M. Schuman, operator of the Black Rock, plans a new theatre in the Black Rock section of Bridgeport, to be started next Spring.

Recarpeting Theatre

Colchester, Conn., Jan. 24.—Nathan Lampert will recarpet and renovate the ceiling and front of his 350-seat Colchester Theatre here.

Named Student Assistant

Bridgeport,, Conn., Jan. 24.—Harry F. Shaw, Loew-Poli division manager, has appointed Vernon Burns new student assistant at the Majestic.

Closes in Westport, Conn.

Westport, Conn., Jan. 24.—George Comden has closed the Fine Arts Theatre for repairs and enlargement and will reopen next month.

Installs New Sound Equipment

Leon, Iowa, Jan. 24.—J. E. Michael, operator of the Strand, is installing new RCA sound equipment in his theatre.

Remodels Iowa House

Manly, Iowa, Jan. 24. — H. S. Twedt, owner of the Lido, has completely remodeled the interior of his theatre.

To Close Spartanburg House

Spartanburg, S. C., Jan. 24.—The Criterion will be closed the last of this month, and a new theatre will be erected to take its place, it was announced by R. B. Talbert, city manager for the Wilby-Kincey Theatres, which operate the Carolina, State, Strand and Criterion in Spartanburg.

Seed in Albany Post

Albany, Jan. 24. — George Seed, formerly manager of the Colonial, a Morris Amusement house in Utica, has been named Harmanus Bleecker Hall manager by Louis Golding, Fabian district manager here. Seeds succeeds Oscar Perrin, who returns to his old post at Fabian's Grand here.

Takes 3 Hough Houses

Spokane, Wash., Jan. 24.—Simon Amusement Co. of Missoula, Mont., has taken over the three Hough houses at Coeur d'Alene, Idaho. E. K. Taylor is general manager of Simon Amusement, which operates theatres in Wallace and Kellogg, Idaho, and in a number of Montana towns.

Buys in North Carolina

Scotland Neck, N. C., Jan. 24.—The Piedmont Theatre Corp. of Statesville has purchased the Dixie here. The deal included both the lease which was held by W. D. Joyner and the building and theatre property which was sold by Mrs. R. J. Madry.

Reopen House Near Project

Friant, Cal., Jan. 24.—With the community booming, due to activity on the huge Central Valley water project dam six miles from here, Frank Boeck and Ray Harper have opened the Friant, 400-seat house.

Install New Seats

Spokane, Wash., Jan. 24. — The Liberty and State have installed new seats. The latter also has installed a new marquee and banners. The Fox, too, has altered its marquee lettering. All three are Evergreen houses.

Form Theatre Company

New Haven, Jan. 24.—A new corporation, the Boston Amusement Corp., has been formed with a $50,000 capital, and with Elsie Gurian, Samuel R. Hadelman, and Ida Echter as incorporators.

Alter F. & M. Theatre

St. Louis, Jan. 24.—The projection room and entrance to the Congress, neighborhood house controlled by Fanchon & Marco, is being altered.

Take House on Coast

Fairfield, Cal., Jan. 24. — J. W. Law and G. R. Moore have taken over the Solano here from Vacaville Theatres, Inc.

Remodel in Pawtucket

Pawtucket, R. I., Jan. 24.—The Strand here is being completely redecorated and reseated by M. & P. Theatres.

Reopen in California

Alameda, Cal., Jan. 24.—Harold Berg and Meyer Plotkin have reopened the Lincoln here.

Fox Intermountain Changes

Denver, Jan. 24.—Manager changes made by Rick Ricketson, Fox Intermountain division manager include the moving of Ed Nelson from the city managership at Las Cruces, N. M., to Denver to manage the Hiawatha; Ike Byrne goes from Delta to be city manager at Las Cruces; Vern Flet[illegible]er, Billings, Mont., manager, to ci[illegible] manager in Montrose, Colo.; Don Dungan from city manager Montrose to the same job at Delta, and Lloyd Boreing has been promoted from an assistant to be manager of the Babcock theatre, Billings, Mont.

Circuit Renews Altec Contract

Comerford Theatres and affiliated companies have renewed service contracts with Altec for their 80 theatres in Pennsylvania, and have enlarged their repair and replacement contracts to include complete projection room equipment, Altec announces.

Building at Henderson, N. C.

Henderson, N. C., Jan. 24.—Work has started on the new theatre to be erected and operated here by S. S. Stevenson and associates. The new theatre will open about April 1, and will seat 600 to 700.

Buy Bridgeport House

Bridgeport, Conn., Jan. 24.—Samuel Hadelman, operator of the Capitol, has bought the 499-seat Colonial from Lou Anger, who operates the Barnum, Bridgeport, Alcazar, Naugatuck, and Astor, East Hartford.

Buys House in N. C.

Bryson City, N. C., Jan. 24.—J. E. Massie of Waynesville, who owns and operates the Park and Pisgah in Waynesville and the Lyric in Sylva, has purchased the Bryson here.

Remodels Iowa House

Cherokee, Ia., Jan. 24.—The American seating 750, is being completely remodeled by Dale R. Goldie, owner. He expects to have the work completed by March 1.

Open North Carolina House

Rockingham, N. C., Jan. 24.—A third theatre here has been opened, the Little, built by Henry C. Wall at a cost of $25,000. It seats 465.

Open South Dakota Theatre

Martin, S. D., Jan. 24.—The Inland, a new 300-seat house, has been opened here by C. E. Bradshaw. The theatre cost more than $25,000.

Opening Theatre Feb. 12

Monroe, N. C., Jan. 24.—The new Center, which is being built here by Monroe Theatres, Inc., will open about Feb. 12.

Rebuild Connecticut House

New Haven, Jan. 24. — Warners will rebuild the 850-seat Bristol Theatre, Bristol, Conn., which was burned recently.

Open Bridgeport House

Bridgeport, Conn., Jan. 24.—The 998-seat Strand Amusement Co. Hippodrome here has reopened.

'Wind' Holds Los Angeles Pace, $50,300

LOS ANGLELES, Jan. 24.—"Gone With the Wind" held its strong pace here, scoring a total of $50,300, with $21,000 at the Carthay Circle and $29,300 at the United Artists.

Estimated takings for the week ending Jan. 24:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 4th week. Gross: $21,000. (Average, $17,000)

"Barricade" (20th-Fox)
"He Married His Wife" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $7,500. (Average, $12,500)

"Of Mice and Men" (U. A.)
4 STAR—(900) (40c-55c) 7 days, 5th week. Gross: $3,300. (Average, $3,250)

"Destry Rides Again" (Univ.)
"Blondie Brings Up Baby" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $9,700. (Average, $6,500)

"Barricade" (20th-Fox)
"He Married His Wife" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $9,400. (Average, $14,000)

"Destry Rides Again" (Univ.)
"Blondie Brings Up Baby" (Col.)
PANTAGES—(2,000) (30c-65c) 7 days, 2nd week. Gross: $9,900. (Average, $7,000)

"The Great Victor Herbert" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days, 2nd week. Stage: F. & M. revue, Rube Wolf and orchestra. Gross: $14,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 4th week. Gross: $29,300.

"Brother Rat and a Baby" (W. B.)
"British Intelligence" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $10,100. (Average, $14,000)

"Brother Rat and a Baby" (W. B.)
"British Intelligence" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $11,300. (Average, $12,000)

Enroll More Judges For Quigley Awards

Acceptances to the judging committee for the sixth annual Quigley Grand Awards already exceed the number for any previous year, according to A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald.* Additional acceptances are expected from out-of-town executives.

The judging will be held Jan. 30 at the Hotel Astor, the winners to be selected from among the best entries in the 1939 competitions. Arrangements are being made for the presentation of the Grand Awards in Hollywood, where the theatre men will be entertained.

Set 'Edison' Opening In Port Huron Feb. 11

Plans are near completion for the elaborate world premiere of M-G-M's "Young Tom Edison," starring Mickey Rooney, at Port Huron, Mich., on Feb. 11. The "Edison train," owned by Henry Ford, will run again over the route from Detroit to Port Huron, where Edison was a "train butcher" as a boy.

Rooney will be on board the train, which will carry a distinguished group of public officials and members of the Edison family to the opening. The mid-19th Century atmosphere of the film's story will be recreated by the citizens of Port Huron.

Blizzard Injures Montreal Grosses

MONTREAL, Jan. 24.—"The Hunchback of Notre Dame" held up to $6,800 for its third week at the Palace, while "Balalaika" accounted for $5,800 at Loew's in the second week. A blizzard and extreme cold hurt business.

Estimated takings for the week ending Jan. 19:

"Charlie McCarthy, Detective" (Univ.)
"The Witness Vanishes" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,200. (Average, $8,000)

"The Royal Visit" (Official)
HIS MAJESTY'S—(1,700) (25c-35c-50c) 7 days. Gross: $2,000. (Average, $2,000)

"Balalaika" (M-G-M)
LOEW'S—(2,800) (30c-50c-60c) 7 days, 2nd week. Gross: $5,800. (Average, $8,000)

"Raffles" (U. A.)
"Escape to Paradise" (RKO)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $1,700. (Average, $5,000)

"The Hunchback of Notre Dame" (RKO)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 3rd week. Gross: $6,800. (Average $10,000)

"The Night of Nights" (Para.)
"Television Spy" (Para.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $5,500)

Labor Board Hears TMAT Vote Protests

Charging that the election held by the State Labor Relations Board for the Endicott Circuit was improperly conducted, the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union asked yesterday that the election be set aside and a new one ordered. The board reserved decision.

Melvin Albert, attorney for Endicott, asserted that the election, which voted down the designation of T.M.A.T. as collective bargaining agency, presented a true picture of the desires of the employees and that the alleged irregularities would not have affected the vote.

Gustave A. Gerber, union attorney, declared that notices of the election were not posted in theatres, that the union had not been permitted to use its challenge lists, and that the board had failed to provide a certified voting list. A decision is expected in about one week.

Harry Brand Goes Back West Today

Harry Brand, 20th Century-Fox studio publicity chief, leaves for the Coast today with Mrs. Brand. He arrived here last week to prepare for the arrival of Darryl F. Zanuck, Joseph M. Schenck and Gene Markey in connection with the openings of two of the companies' big pictures, "The Blue Bird" and "The Grapes of Wrath."

Mr. and Mrs. Zanuck, Schenck, Markey and Hedy Lamarr are expected to return to the Coast in a day or two.

George Weeks, Wife To Vacation in South

George W. Weeks, general sales manager of Monogram, leaves tomorrow with Mrs. Weeks for a two-week vacation in the South, following which he will make a tour of exchanges in the South and Midwest.

Weeks will terminate his duties at the home office March 1 and shortly thereafter will start production of a program of pictures on the Coast.

Canada's Theatre Building Falls 24%

Toronto, Jan. 24.—The number of new theatre construction contracts for the whole of Canada in 1939 showed a decline of 24 per cent as compared with the previous year, the reduction being attributed to the European tension during the first eight months of the year and the actual declaration of war in September. The 1939 total was 82 theatres, having a valuation of $1,418,500 as compared with 103 new theatres in 1938, with a value of $1,867,100, the reduction in money involved being 26 per cent.

ITO Votes Support For Finnish Relief

Support of the Finnish Relief Fund, headed by former President Hoover, was voted at a meeting of the I.T.O.A. yesterday at the Astor. On "Help Finland Days," Feb. 17 and 18, girls in Finnish costume will be stationed in lobbies for collections among patrons.

David Weinstock, who presided in the absence of Harry Brandt, reported that as a result of the organization's efforts the Brooklyn Edison Co. has consented to consider reductions in electric light and power charges for Brooklyn theatres where the monthly bill is $200 or more.

S. L. Klein, accountant, discussed Social Security payments in relation to Federal and State taxes.

Philadelphia Gives $16,800 To 'Herbert'

PHILADELPHIA, Jan. 24.—"The Great Victor Herbert" led the field at the Stanley with a strong $16,800. "Of Mice and Men" gave the Aldine a nice $10,300.

Estimated takings for the week ending Jan. 19:

"Of Mice and Men" (U. A.)
ALDINE—(1,700) (32c-42c-57c-68c) 7 days. Gross: $10,300. (Average, $8,000)

"Judge Hardy and Son" (M-G-M)
"Our Neighbors—The Carters" (Para.)
ARCADIA—(600) (32c-42c-57c) 3rd run, 2nd week, 5 days; 2 days. Gross: $3,100. (Average, $2,600)

"The Shop Around the Corner" (M-G-M)
"Gone With the Wind" (M-G-M)
BOYD—(2,400) (32c-42c-57c-68c) 5 days; (86c-$1.14-$1.71) 2 days. Gross: $17,500. (Average, $13,000)

"The Earl of Chicago" (M-G-M)
"Gone With the Wind" (M-G-M)
EARLE—(4,000) (32c-42c-57c-68c) 5 days; (75c-$1.14) 2 days. Gross: $15,200. (Average, 14,000)

"Balalaika" (M-G-M)
"Brother Rat and a Baby" (W. B.)
FOX—(3,000) (32c-42c-57c-68c) 4 days; 3 days. Gross: $9,100. (Average, $13,000)

"Four Wives" (W. B.)
"The Shop Around the Corner" (M-G-M)
KARLTON—(1,000) (32c-42c-57c-68c) 2nd run, 4 days; 2nd run, 3 days. Gross: $4,500. (Average, $3,000)

"Destry Rides Again" (Univ.)
"The Hunchback of Notre Dame" (RKO)
KEITH'S—(2,200) (32c-42c-57c-68c) 2nd run, 4 days; 2nd run, 3 days. Gross: $3,900. (Average, $3,500)

"The Great Victor Herbert" (Para.)
STANLEY—(3,700) (32c-42c-57c-68c) 7 days. Gross: $16,800. (Average, $14,000)

"The Amazing Mr. Williams" (Col.)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $5,700. (Average, $4,500)

WOLF OF NEW YORK
"And now you want to throw away your chance to come back, to make a career for yourself the right way . . . to build something permanent, decent and strong."
A Republic PICTURE
EDMUND LOWE · ROSE HOBART
JAMES STEPHENSON · WILLIAM DEMAREST
ANDREW TOMBES · BEN WELDEN

NBC Cutting Use of Films On Television

NBC again has reduced the time devoted to films over its television station, W2XBS, and now is transmitting only two hours of film programs weekly. These consist of one hour of varied short subjects and one feature.

Principal reason for the reduction, according to E. A. Hungerford, in charge of buying films for the station, is the lack of satisfactory product. Major film companies have maintained their refusal to make their films available. As a result, the station has been using independent and foreign product which has not proved popular with television audiences.

Exchange Trailers for Shorts

Hungerford is now working on several "package" deals under which he plans to show trailers over the air in return for use of short subjects. He points out that this was done successfully in the case of "Mr. Smith Goes to Washington" and is hopeful that the experiment can be repeated on a more regular basis.

Foreign language films are not popular because the subtitles cannot be read without eyestrain on the small television screen. British independent product is appropriate, says Hungerford, but there is still some legal confusion over television rights. British producers, who became accustomed to the wider range of British television, are inclined to seek higher prices than an American station can pay at present.

Prices paid for features average between $75 and $100, Hungerford discloses, while shorts command an average of $15. Hungerford believes that NBC might be willing to pay more for good product from major companies, but says that television's limited audience precludes going much higher.

Denies Conflicting Interests

While NBC was in the strictly experimental stage, RKO-Pathe News provided reels which were two weeks old, but this was discontinued when television started regular programs. "The March of Time" is still used over the air several months after it has been released to theatres. NBC has frequently considered starting a newsreel of its own, as it would be a relatively simple matter to mount a camera on a mobile unit, or to send out a lone cameraman. However, the station has refrained to avoid conflict with film studios.

"We are in the business of broadcasting, not producing motion pictures. Sooner or later, Hollywood will decide to cooperate with us," Hungerford says. "In the meantime, we will keep trying to convince film companies that our interests do not conflict."

Based on present requirements of two hours weekly, NBC has product on hand sufficient for the next 25 weeks, Hungerford says.

License Suspended

License Commissioner Paul Moss has permanently suspended the license of the Garden Theatre, 4601 New Utrecht Ave., Brooklyn. The theatre has been closed.

Hollywood Depending Less On Air Talent and Material

By EDWARD GREIF

Sales of radio talent to the films have slackened down measurably during the past year, although efforts to obtain employment for radio actors in Hollywood have never been more strenuous, according to George Engles, NBC vice-president and managing director of the network's artists' service bureau.

Two reasons are given by Engles for the lesser number of contracts. In the first place, he says, radio is becoming much more selective in the kind of artists it sells to the screen. Secondly, the current cycle of radio has emphasized quiz shows with the result that most big new shows have not featured the kind of entertainers who could be employed profitably in Hollywood.

"Information, Please," of course, is an exception but the popularity of these RKO-Pathe shorts depends in large measure on the personalities, he points out.

"We have given up the theory of merely selling for the sake of selling," Engles asserts in discussing the "selective" phase of the current trend. "Films undoubtedly help a radio artist by giving him national exploitation but unless the film is right, it can prove unprofitable to both Hollywood and the artist."

Grooms Talent for Television

Radio is grooming its talent with an eye to its photogenic appeal because of the advent of television, he points out. Engles is of the opinion that a major film studio which produced shorts specially for television could operate at a profit as soon as a number of stations start operating around the country. However, NBC is grooming a stock company to travel and give performances at various television stations. Engles believes that such companies can serve not only television but should prove a fruitful source of material to Hollywood scouts.

Discussing the efforts of the artists bureau to obtain film employment for radio artists, Engles points out that the attitude is now much more cautious than it was previously. Too many artists have returned discouraged from the Coast. Now, a thorough training period is urged upon radio talent before any effort is made to obtain contracts.

Moving too frequently from one field to another has often hurt an actor's career, Engles says, and the actors themselves are beginning to realize it.

Movies Prefer Action Dramas

From the standpoint of the sale of popular radio programs to the films, Lewis H. Titterton, head of the NBC script department, points out that the question of the sale of daytime dramatic shows has frequently come under discussion but that few sales have been made.

Shows which are salable are of the melodramatic, action type, such as "The Lone Ranger," and "The Green Hornet." Most radio shows, however, depend on character delineation and the difference between aural and visual appeal is frequently quite sharp, Titterton says.

Shorts such as the "Information, Please" series are occasionally sold and a good "name band" popularized over the radio almost invariably does a short or two, he points out. Except for these there have been no sales of late.

In selling a highly characterized show, there is always the danger that the screen characters may conflict with the mental images set up by the radio audience. As a result, a valuable property may be lost, he declares. The advertising agency handling the show must be consulted. Frequently, after discussion with the agency and sponsor, film deals which could be made are dropped.

Hollywood has expressed a constant demand for story material from the one-act dramas regularly presented, says Titterton, but although this material is submitted at once, it has thus far been found unusable because of the different requirements of the two media. Arch Oboler and Orson Welles, he points out, have not as yet established themselves as screen writers, although their work in radio is outstanding.

Exhibitors Fighting British Carbon Pool

LONDON, Jan. 24.—Executive Council of the Cinematograph Exhibitors Association today determined to ask the pool of carbon manufacturers again to receive a deputation, which will ask for greater representation and more power in the pool.

Exhibitor opposition to the plan for higher carbon prices and rationing is widespread and vigorous, with a demand now general to refuse exhibitor cooperation under the present conditions.

Morin Is Chairman Of CBC Directorate

MONTREAL, Jan. 24.—Rene Morin has been elected chairman of the board of directors of the Canadian Broadcasting Corp., according to an announcement by Transport Minister C. D. Howe.

Morin has been acting chairman since the resignation of Leonard W. Brockington last Fall. Brig. Gen. Victor Odlum of Vancouver has been appointed vice-chairman.

Cole Talks Tuesday At Connecticut Allied

NEW HAVEN, Jan. 24.—At a special luncheon meeting of Connecticut Allied at the Hotel Garde next Tuesday, Col. H. A. Cole, national Allied president; Nathan Yamins, Frank Lyden, Arthur Howard, E. Thornton Kelly and Sidney Samuelson will speak on the Neely bill on the Government anti-trust suit against the major companies.

Remaking 'Quo Vadis'

HOLLYWOOD, Jan. 24.—M-G-M is planning a remake of "Quo Vadis" in color, with Robert Z. Leonard as associate producer and director for Hunt Stromberg. Leonard first will direct "Pride and Prejudice," another Stromberg film.

Radio Brevities

Educators to Get Radio Idea

COMMISSIONERS of education from 48 states and the 48 permanent secretaries of state teachers' associations will hear Sterling Fisher, CBS director of education, on Feb. 24 to consider proposals that the "Sch[illegible] of the Air" be adopted as part of the regular school curriculum in each state. Eleven states have already taken such action.

CBS Earnings Jump 25%

Net income of CBS should run about 25 per cent ahead of last year for the first quarter, Wall Street sources declare. Net income should equal 80 cents per share as compared with 67 cents for the first quarter of 1939. CBS earned $1,151,526 during the first quarter last year.

Personalities in the News

Alfred J. McCosker, president of WOR and chairman of the board at Mutual, leaves tomorrow with Mrs. McCosker for a four-week trip to Hollywood. He will be guest of Rudy Vallee while on the Coast and will inspect Don Lee television while there. . . . Rush Hughes becomes master of ceremonies on "Johnnie Presents," beginning Feb. 13. . . .

George Fisher, commentator on "Hollywood Whispers," is in town. . . . Hy Gardner, the former Brooklyn Eagle columnist who is now doing promotion for Hedda Hopper's Hollywood program, is in town and will be guest on Sam Taylor's show over WHN today at 5:15 P. M. . . .

Ben Bernie, recuperating at the Doctors Hospital from an appendectomy, will return to the microphone Sunday and go back to the hospital for another week's rest. . . . Harry Kramer, WINS announcer, is the father of a boy. . . . Jan Savitt's band, heard over NBC from the Lincoln Blue Room, has been chosen the guest swing band for the President's Birthday Ball at the Waldorf. . . .

Program News

"Society Girl," heard Mondays through Fridays on 46 CBS stations at 3:15 P. M., will be moved to 3:00 P. M. Monday, when "Joyce Jordan, the Girl Interne" shifts to a 2:15 P. M. spot. . . . Standard Oil of New Jersey has renewed "The Esso Reporter" for 47 additional weeks over WJZ. There are four five-minute news periods daily and two on Sundays. . . . A new discussion series by prominent Catholics, "Eternal Heroines as They Walk in the 20th Century," will be featured on the NBC "Call to Youth" programs starting Saturday, Feb. 3, at 12:30 P. M.

This and That

Celebrating the decision of Hearst interests to retain WINS, the station staff is tendering a dinner to Major E. M. Stoer, president, next Monday at the Warwick Hotel. Major Stoer and Carl Calman, general manager, will be guests of honor.

Local radio editors left yesterday as guests of NBC on a trip to Pittsburgh to attend the premiere tonight of the new Westinghouse program, "Musical Americana."

Everybody's so nice to us!

The World-Telegram, the Cleveland Plain Dealer and the Fame 1940 Popularity Polls awarded the Great Majority of First Places to NBC . . .

—and now Radio Daily heaps more honors on

NBC

In this poll, NBC again scores a sweeping victory, winning 12 out of 16 first places. In "favorite program" classification, first six favorites—and eight out of first ten—are NBC shows!

We wouldn't be human and not feel a strong sense of pride over all these stunning "poll" victories. Our sincere thanks goes not only to the men and women who cast the votes, but to the advertisers and agencies who made these programs possible.

These polls prove one thing very clearly—NBC is successfully maintaining its policy of providing the very finest in entertainment for its millions of Red and Blue Network listeners.

NBC programs and artists—plus the many NBC services "in the public interest,"—are the reasons why radio owners from coast to coast agree that NBC is "The World's Greatest Broadcasting System."

THESE ARE THE NBC PROGRAMS AND ARTISTS VOTED TOPS IN RADIO DAILY POLL!

Favorite Program	Jell-O
Favorite Entertainer	Jack Benny
Most Popular Dance Band	Guy Lombardo*
Favorite Serial	One Man's Family
Favorite Educational Program	America's Town Meeting
Favorite Female Vocalist (popular)	Connie Boswell
Favorite Male Vocalist (classical)	Nelson Eddy
Favorite Male Vocalist (popular)	Bing Crosby
Favorite Female Vocalist (classical)	Margaret Speaks
Favorite Comedian	Jack Benny
Favorite Quiz Program	"Information, Please"
Favorite Sports Commentator	Bill Stern

**Shared with CBS*

NATIONAL BROADCASTING COMPANY

THE WORLD'S GREATEST BROADCASTING SYSTEM

A Radio Corporation of America Service

'Raffles' Pulls $6,500, Beats Seattle's Cold

SEATTLE, Jan. 24.—"Raffles" and "Laugh It Off" took $6,500 at the Paramount, despite very cold weather, which hurt other grosses.

Estimated takings for the week ending Jan. 19:

"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)

"Swanee River" (20th-Fox)
"Missing Evidence" (Univ.)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $7,100. (Average, $7,000)

"The Amazing Mr. Williams" (Col.)
"Blondie Brings Up Baby" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 4th week. Gross: $4,100. (Average, $5,000)

"Hunchback of Notre Dame" (RKO)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,200. (Average, $4,000)

"The Secret of Dr. Kildare" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $5,300. (Average, $6,000)

"Money to Burn" (Repub.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Major Bowes' "Winners of '39" unit on stage. Gross: $6,500. (Average, $5,000)

"Raffles" (U. A.)
"Laugh It Off" (Univ.)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,500. (Average, $6,000)

Paramount Plans 36 Films at Studio

(*Continued from page* 1)

throughout the world and to waning audience interest in low budget productions. All of the 36 or 38 features to be made on the home lot, he said, will be budgeted in the higher brackets. No minimum budget has been determined yet for the new season productions.

Freeman said that while Paramount does not plan to produce any pictures at its Astoria studio here next season, the company will still be open as a distribution outlet for worthwhile product made here, as it has been in the past.

Freeman plans to leave for the Coast either tomorrow night or Monday night.

Participating in the production conferences with him were Barney Balaban, president; Stanton Griffis, chairman of the executive committee; Neil Agnew, distribution head; Russell Holman, eastern talent and story head, and George Weltner, home office foreign department.

Ask Schine Examination

Examination before trial of Meyer and Louis Schine was asked yesterday in N. Y. Supreme Court by Carl E. Erikson, plaintiff in a suit for $35,000 against the Schine Enterprises Corp., Meyer and Louis Schine and Fenyvessy Enterprises. Plaintiff seeks commissions for the sale in 1937 of four Rochester theatres by Fenyvessy to the Schines.

'Pinocchio' Ice Show

The Rockefeller Center skating pond will be the scene of a "Pinocchio" carnival today heralding the premiere of the feature length Disney-RKO cartoon at the Center Feb. 7. Dorothy Lewis, skating star, and 15 others will appear on the ice.

English Film Union Claims 10,000 New Members in '39

LONDON, Jan. 5 (*By Mail*).—More than 10,000 new members are claimed for 1939 by the National Association of Theatrical and Kine Employes, with 38 wage and hour agreements now to its credit. It is estimated that three-fifths of the country is now covered by wage and hour agreements concluded by the N. A. T. K. E.

Ten thousand theatre employes, projectionists, attendants, ushers, cashiers, cleaners—in all over 600 houses—will benefit substantially by agreements between the N. A. T. K. E. and the Cinematograph Exhibitors' Association, which took effect New Year's Day.

A new executive council has been appointed by the British Film Production Association, organization of exclusively British producers. It is in three groups, representing producers, studio owners and laboratories.

Group A (Producers) is composed of Michael Balcon, John Corfield, Frank Ditcham, Alexander Korda, David Ostrer, George Smith and Howard Welsch.

Group B (Studio Owners) includes E. H. George, L. Grandfield Hill, M. C. Nicholson and Sam Smith.

Group C (Laboratories) is formed by E. A. Davis, Paul Kimberly and R. Terraneau.

The National Government Party of the Irish Free State is in favor of a state subsidized film industry. A resolution to this effect was moved at the annual national conference in Dublin recently.

The Ministry for Industry and Commerce, speaking for the Government, said they were in favor of a native industry, but heavy financial difficulties had to be got over. Expensive equipment and working capital would be required, but their limited resources were currently engaged on more pressing social problems.

During 1939 of 12 local areas in England polled on the Sunday opening of theatres, nine voted in favor. The new Home Office order on Sunday opening does not remove the clause of the existing act which compels a part of the profits to be handed over to charity.

F. L. Thomas has been appointed by Francis Harley to succeed the late Roy Simmonds as publicity director of 20th Century-Fox in Great Britain. W. Buchanan Taylor, who took over Roy Simmonds' post earlier, has left the organization.

The new Manchester branch of the C. E. A. has been formally approved by the association. A similar move is now afoot to form an independent branch in Edinburgh, Scotland.

Unusual Preview For Republic Film

Republic will inaugurate something new in previews tomorrow night when "Village Barn Dance," a musical, will be shown to an invited audience of more than 100 at the Village Barn, Greenwich Village "country" night club.

Mayor F. H. LaGuardia, Alfred E. Smith and other distinguished New Yorkers have been invited, and among those who are expected are Gene Autry, Judy Canova, Councilman Alfred E. Smith, Jr., Republic officials and newspaper columnists and critics.

Celebrities will participate in a 30-minute broadcast from the club over WOR and the Mutual network, starting at 10 P. M. The program will be picked up by WEVD and WNEW.

Autry will be given a reception when he arrives at 4:45 P. M. tomorrow at the Pennsylvania station from Washington.

Radio Giveaways Cited to Congress

(*Continued from page* 1)

holes, the commission may not be able to take any action."

The program is costing the theatres over $1,000,000 weekly, Thomas McGuire, public relations director of the association, declared in a letter to the Congressman. Explaining that he had filed a complaint with the F. C. C. last month, McGuire said that members of the staff have advised him that "nothing prohibits 15 or 100 other advertisers from joining in this 'radio gambling,' so that if the other hours of the other days of the week are so filled, the entire retail field of the whole nation is jeopardized."

In another letter, Barney Kilbride of the Alhambra, Detroit, asserted that "these Tuesday evening programs we find to be very detrimental to motion picture theatre business. This program has received tremendous publicity and it is an established fact that it is making serious inroads into Tuesday night theatre grosses."

Judging of Shorts For Awards Is Set

HOLLYWOOD, Jan. 24.—Viewing of short subject entries for awards of the Academy of Motion Picture Arts and Sciences begins tomorrow night when seven two-reel subjects will be seen by the nominations committee. One-reel subjects will be showing Saturday and cartoon entries Sunday.

Entries for two-reel subject nominations are "Drunk Driving" and "Somewhat Secret," M-G-M; "Five Times Five," RKO; "Rhumba Land," Universal, and "Sons of Liberty," "Slapsie Maxies" and "Royal Rodeo," Warners.

Final judging will be done next month.

Paramount Suffers '39 Statement Delay

Paramount's 1939 earnings statement will be postponed for at least another month due to a delay in receiving year-end financial reports from British and other European offices.

Wall Street estimates the company's net profit for the year at approximately $4,500,000, or nearly $500,000 higher than the $4,096,000 reported for 1938.

The monthly meeting of the Paramount board will be held today. Only routine business is on the agenda, company officials said.

69th Reunion Hails Picture, War Heroes

(*Continued from page* 1)

Joseph Hazen, Gradwell L. Sears, James Cagney, Pat O'Brien, and Jeffrey Lynn, the latter three who are starred in "The Fighting 69th."

Speakers paid lavish tributes to the heroism of the famous regiment and to Father Duffy. They unanimously applauded the film as a "great exemplification of democracy."

A national NBC hookup from 9 to 9:30 o'clock carried the speeches to all of the 40 reunion dinners in every section of the United States. Gov. Gen. Douglas MacArthur, of the Philippines, was piped in from Manila.

Following the dinner, the guests were treated to a special screening of the action-crowded "Fighting 69th," which will have its Broadway premiere Friday morning at the Strand. Wild cheers and enthusiastic handclapping came at the close of the showing.

Included in the audience were many Warner executives and other persons prominent in the motion picture industry.

The trade press and the daily newspapers were well represented. More than 15 columnists from Hollywood arrived by plane yesterday for the banquet. Accompanying them on the chartered craft were Wayne Morris, Lynn, Bob Taplinger, Warner studio publicity chief, and his assistant, Blake McVeigh.

The day's festivities started at noon with a wreath-laying ceremony at the statue of Father Duffy at Duffy Square. A crowd estimated at several thousand persons jammed Times and Duffy squares while extra police prevented traffic snarls.

Bishops John F. O'Hara, former president of Notre Dame University and now in charge of U. S. Army Catholic chaplains, paid tribute to Father Duffy, chaplain of the old 69th Regiment. Others participating in the impressive ceremony were James Cagney, Pat O'Brien, Jeffrey Lynn, Mrs. Hilda Burling, president of the Gold Star Mothers; Col. John J. Mangan and Brig.-Gen. Alexander E. Anderson of the New York National Guard, the regimental band and color guard.

The ceremony was broadcast for 15 minutes over WNYC while newsreels took films.

Equal Patron Rights Bill Is Introduced

ALBANY, Jan. 24.—Senator Charles Perry introduced in the State Senate today a bill requiring licensees at places of public amusement to grant full and equal accommodations to all persons. Assemblyman Burrows previously had introduced a companion measure in the lower house.

Salesman 17 Years, Quits

NEW HAVEN, Jan. 24.—After 17 years with First National and Warners here, John Pavone, salesman, has resigned. He formerly was Warner branch manager in New Haven. Pavone is joining another major company in a sales capacity.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 47. NO. 20 NEW YORK, U. S. A., FRIDAY, JANUARY 26, 1940 TEN CENTS

Universal Net Profit in Year Is $1,153,321

First 12-Month Profit in More Than Decade

With net profit of $1,153,321 for the fiscal year ended Oct. 28, 1939, Universal yesterday reported its first full year of profitable operations in more than a decade.

Results for the year compare with a net loss of $591,178 for the fiscal year ended Oct. 29, 1938, and a net loss of $1,084,998 for the year ended Oct. 30, 1937.

For the final quarter of the 1939 fiscal year, which included two months of war time operations, Universal showed consolidated net earnings, before Federal income taxes, of $366,325, compared with a profit of $161,929 for the corresponding peace time quarter of the preceding fiscal year. In the current quarter, the first of the new fiscal year, Universal's earnings up to last Dec. 23 showed an increase of $88,000 over the same period of 1938, despite less favorable prevailing rates of foreign exchange at this time, as compared with the preceding year.

The company's gross income increased $5,727,992, or 31.5 per cent, during the last three years. Gross income for the 1937 fiscal year was $18,150,876; for 1938 it was $20,190,117, and for last year, $23,878,868.

J. Cheever Cowdin, chairman of the Universal board, in a letter to stock-

(*Continued on page 7*)

Steinbeck's Second Film Delayed Here

Hal Roach's "Of Mice and Men," originally scheduled to open at the Roxy today, has been set back and now is scheduled to follow both "Brother Rat and a Baby," the Warner picture opening today, and "Little Old New York," which follows it.

20th Century-Fox did not favor the simultaneous showing on Broadway of two pictures from novels by John Steinbeck, which would have been the case had "Of Mice and Men" opened today, two days after the opening at the Rivoli of "Grapes of Wrath."

The Hal Roach production now is slated to open at the Roxy either Feb. 16 or 23, dependent on a holdover for either of the two pictures which will precede it.

Films Escape New Clipper Mail Rules

Washington, Jan. 25.—An exception for all copyrighted material, including films, is made in the Government's newest interpretation of the neutrality act. Under new regulations issued today no "articles or materials" can be sent via trans-Atlantic Clipper planes to belligerent countries.

Strong Business Along Broadway

With four houses playing to capacity, Broadway is having one of its biggest weeks of the Winter.

"Grapes of Wrath" at the Rivoli, "The Bluebird" at the Hollywood, and "Gone With the Wind" at the Capitol and Astor are all doing top business. Today, "The Fighting 69th" opens at the Strand and "Brother Rat and a Baby" bows at the Roxy.

The second week of "His Girl Friday," with a stage show drew an estimated $70,000 at the Music Hall. "The Lion Has Wings" ends its first week at the Globe tonight and will be held over. The first week should bring an estimated $10,000. At the Roxy, "He Married His Wife," with a stage show drew an estimated $23,000. Second week of "Invisible Stripes," with Shep Fields' band on the stage, grossed an estimated $31,000 at the Strand.

500 Will Attend Federation Lunch For Walker Today

Record attendance of 500 is expected at the fourth annual luncheon of the Amusement Division of the New York and Brooklyn Federation of Jewish Charities today in the Astor's North Ballroom.

Ex-Mayor James J. Walker will be guest of honor. George Jessel and Ben Bernie are toastmasters and John Golden chairman. David Bernstein and Major Albert Warner are co-chairman of the Amusement Division. B. S. Moss is treasurer.

Seated on the dias also will be Barney Balaban, Jack Cohn, License Commissioner Paul Moss, Will H. Hays, Irving Berlin, Louis Bernstein, Max A. Cohen, Eddie Dowling, Daniel Frohman, John Golden, Postmaster Albert Goldman, Max Gordon, Joseph Hazen, Gertrude Lawrence, Alfred J. McCosker, Herman Robbins, Maurice Silverstone, Charles O'Reilly and Edwin S. Friendly.

Others in attendance will include Charles Moskowitz, Nate Spingold, Colvin Brown, Louis Nizer, David Weinstock, Sam Shain, Budd Rogers, Hal Horne, William Morris, Jr., Samuel Rinzler, Jack Mills, Harry Buxbaum, Moe Sanders, Herman Bernie, Max Rudnick, Bertram Lebhar, Harry Mayer, Donald Flamm, Sam Lyons, John Shubert, Marcus Heiman, Marvin Schenck, Herbert Rosenthal, Belle Baker, Olsen and Johnson and Abbott and Costello.

'Wrath' Provocative, Say N. Y. and L. A. Critics

New York and Coast newspaper critics, after viewing "Grapes of Wrath," lauded the picture, but called it daring and provocative. Coast critics stressed the controversial nature of the film. Excerpts from New York and Los Angeles reviews follow:

> It is the most daring picture that has ever come out of Hollywood, and it is one of the most important. It is a great social and human document, more powerful in its visual appeal than the John Steinbeck novel. . . . Darryl Zanuck, Nunnally Johnson, John Ford, have done magnificent work.—**Kate Cameron, New York Daily News.**
>
> In the vast library where the celluloid literature of the screen is stored there is one small, uncrowded shelf devoted to the cinema's masterworks. . . . To that shelf of screen classics 20th Century-Fox has added its version of John Steinbeck's "The Grapes of Wrath."—**Frank Nugent, N. Y. Times.**
>
> A great film has come out of Hollywood called "The Grapes of Wrath." . . . It is an honest, eloquent and challenging screen masterpiece. Great artistry has gone into its making and greater courage.—**Howard Barnes, N. Y. Herald-Tribune.**
>
> Darryl Zanuck has taken John Steinbeck's controversial hot-

(*Continued on page 2*)

RKO Gets Rid Of 77-B Today After 7 Years

Court Control Is Ended; Executive Staff Set

With its new executive setup completed, RKO will emerge from reorganization today and will begin operations unsupervised by the Federal court and a reorganization trustee for the first time in seven years.

George J. Schaefer

The company's voluntary petition for the appointment of a receiver was filed Jan. 27, 1933. Today, Irving Trust Co., RKO trustee throughout that period, will return to the company all of the assets to which it has had title, leaving the company free and clear to begin its new corporate existence.

With George J. Schaefer, as president, heading the new management, all executive posts in the reorganized company have been filled, a number of them in the past few weeks.

UA Asks Goldwyn Dismissal Today

United Artists today will move for dismissal of Samuel Goldwyn's action to compel payment by the company of six per cent interest on his $54,559 bonus for premium grosses on individual pictures, which the company pays to its producers.

The motion will contend that Goldwyn has assigned his bonus payment to the Bank of America and, in consequence, is no longer a party in interest in the bonus action.

'Lincoln' Premiere In South Tomorrow

HARROGATE, Tenn., Jan. 25.—Lincoln Memorial University here will celebrate its 50th anniversary with the Southern premiere on Saturday of RKO's "Abe Lincoln in Illinois." Attending the premiere here and a ball in Middleboro, Ky., tomorrow night, will be many notables, including Governors Johnson of Kentucky, Rivers of Georgia and Cooper of Tennessee.

◂ Purely Personal ▸

MAURICE SILVERSTONE, United Artists chief executive, and Lynn Farnol, advertising and publicity director, will leave for the Coast the end of next week.

•

Sabu, young Indian boy, is due on the *Conte de Savoia* from England on Feb. 1. He will be accompanied by Mr. and Mrs. Zoltan Korda and their son. Sabu will remain in town a few days before going to the Coast to appear in American films. Mr. and Mrs. Korda will go to Hollywood for a vacation.

•

Robert L. Graham, new assistant to A. L. Pratchett, Paramount general manager for Cuba, Mexico and Central America, arrives at his headquarters in Mexico City on Feb. 5. He will be accompanied by his wife.

•

John A. Ojerholm, head of Paramount's British technical staff, who has been visiting in this country since Christmas, returns to England via Italy on the *S.S. Manhattan* Saturday.

•

John B. Nathan, Paramount's managing director for Argentina, Uruguay and Paraguay, and Mrs. Nathan are the parents of a son, their second, born at Buenos Aires.

•

Sam Coolick of Oscar A. Doob's staff at Loew's is the father of a girl, Marilyn Ann, born to Mrs. Coolick in Bushwick Hospital.

•

Carl Czolba, manager of the Model in Pittsburgh, is the father of a girl, weighing seven pounds, born to Mrs. Czolba this week.

•

William Sussman, 20th Century-Fox Eastern division manager, and Mrs. Sussman return over the weekend from Miami.

•

Henry Needles, Warner Theatres district manager in New Haven, is on a cruise to Havana and Cristobal.

•

Harry Brand, 20th Century-Fox studio publicity director, left yesterday for the Coast with Mrs. Brand.

•

William F. Rodgers, general sales manager of M-G-M, yesterday returned from a Florida vacation.

•

Thomas F. Grady, M-G-M auditor, was married to Mina Manassa recently in Gainesville, Fla.

•

Y. Frank Freeman, Paramount studio head, will leave for the Coast Monday night.

•

Brenda Joyce, actress, will make her first trip to New York next week.

•

Sir Cedric Hardwicke leaves today for the Coast.

•

Sally Eilers is in town from the Coast.

•

Barney Balaban, Austin Keough, Leonard Goldenson, Leon Netter, John Golden, Irving Hoffman, Arthur Krim, Sidney Kingsley, Ben Boyar, Herman Wobber, Herman Bernie and Madge Evans lunching at Sardi's yesterday.

•

Joseph A. McConville, Columbia foreign manager, will leave by train tomorrow for Mexico City and will return to New York after visiting the company's Havana office. He plans to sail Feb. 23 on the Elena for a two months business trip to South America.

•

Tyrone Power and his wife, Annabella, arrive here today for a four-day visit, then going to Washington for the President's birthday celebrations.

•

Howard Dietz, Charles F. McCarthy, Owen Davis, A. P. Waxman, William F. Rodgers and Joseph Bernhard at Nick's Hunting Room in the Astor for lunch yesterday.

•

Frank Seltzer of Hal Roach Productions will leave for the Coast today after a brief visit at Roach's New York office.

•

Jesse L. Lasky plans to leave for the Coast this weekend.

'Wrath' Provocative, Say N. Y. and L. A. Critics

(*Continued from page 1*)

potato, "The Grapes of Wrath," in his stride. The result, while more Zanuck than Steinbeck, is as brave a picture as has yet come out of Hollywood.—**Lee Mortimer, N. Y. Daily Mirror.**

Dramatically effective. . . . An able cast. . . . Henry Fonda provides an outstanding characterization. . . . Grim and drab in its settings. . . . It's not a pretty picture.—**Rose Pelswick, N. Y. Journal and American.**

Necessarily cleaning up the language and omitting a few incidents, "The Grapes of Wrath" comes to us with its essence truly rendered. . . . A sincerely unbeautiful picture. . . . It is not an evenly entertaining piece. It is much bigger than that.—**Archer Winston, N. Y. Post.**

Breaking sharply with all tradition, 20th Century-Fox presents a magnificently directed picture that has no trace of entertainment value. . . . A document of human misery. . . . You may be sorry that you saw it, but you will never forget it.—**Eileen Creelman, N. Y. Sun.**

A great film, one of the greatest ever produced. . . . Grim and bitter, deeply compassionate and memorable. . . . It has something to say of vital importance to all of us.—**William Boehnel, N. Y. World-Telegram.**

Stinging like a dramatic lash across the face, John Steinbeck's slur at California, "The Grapes of Wrath," comes to the screen as Hollywood's most controversial motion picture, and certainly rates high with strong, poignant drama.—**Jimmy Starr, Los Angeles Herald-Express.**

You must admire Darryl Zanuck for the daring with which he handled the difficult Steinbeck novel. . . . There are phases that might not appeal to some people, but, nevertheless, he has made a magnificent picture.—**Louella O. Parsons, L. A. Examiner.**

The most provocative and realistic motion picture produced in several years at least, "Grapes of Wrath" is nothing to bring abundance of joy to filmgoers. . . . Will prove highly controversial. —**Edwin Schallert, L. A. Times.**

The spirit of the book is here, and the book's power, too, and the book's grim and uncompromising honesty. "The Grapes of Wrath," in its screen version, is probably the most honest picture that Hollywood ever made. . . . It has, apart from its purely dramatic aspects, a social impact.—**James Francis Crow, Hollywood Citizen-News.**

Loew Metropolitan Houses Book 'Lion'

Harry Gold, vice-president and Eastern general sales manager of United Artists, has closed a deal with C. C. Moskowitz of the Loew Circuit for "The Lion Has Wings" in the Loew Metropolitan Theatres.

Columbia Division Meeting at 'Frisco

The last of four divisional sales meetings scheduled this month by Columbia will be held at the St. Francis Hotel, San Francisco, tomorrow and Sunday.

Abe Montague, general sales manager, and Rube Jackter, his assistant, will conduct the meeting. About 30 branch managers and salesmen under Jerome Safron, western division manager, will attend. Among them will be the following branch managers: W. G. Seib, Salt Lake City; R. C. Hill, Denver; W. C. Ball, Los Angeles; L. E. Tillman, San Francisco; J. B. Beale, Portland, and Neal Walton, Seattle.

Montague and Jackter are due back in New York on Feb. 1.

Franklin May Make 'Drunkard' for RKO

Hollywood, Jan. 25.—Harold B. Franklin, former head of RKO theatres, will produce "The Drunkard" independently for distribution by RKO if negotiations now under way with the company are consummated.

Franklin is seeking Anita Louise and John Carradine for two of the leading roles in the old-time temperance drama.

Chicago Bars Games

Chicago, Jan. 25.—"Screen Quiz" and other cash award games were barred here today by Corporation Counsel Barnet Hodes.

Newsreel Parade

The record cold wave features the latest newsreels. Reels and their contents follow:

MOVIETONE NEWS, No. 40—Record cold in Washington, Memphis, Miami. Paderewski, head of exiled Poles, celebrates his birthday. Grecian King in naval ceremony. Fashions. New bri over Lake Washington. Dog racing Miami. Ice ballet in Vancouver. Jai a exhibition in Miami. Lew Lehr.

NEWS OF THE DAY, No. 238—Cold spell in Dixie. Bombproof shelters in England. Queen Elizabeth aids soldiers. Cavalry drill in England. Hat fashions. Toboggan sliding in Chicago. Golden Glove bouts. Auto race on ice.

PARAMOUNT NEWS, No. 43—Bombers transport U. S. troops. *Manhattan* arrives in New York. Dies investigation extended. Cold spell grips Atlanta, Memphis, Washington, Miami. Salary disputes in Big League baseball.

RKO PATHE NEWS, No. 55—U. S. troops travel to maneuvers in airplanes. Netherlands Prince joins border troops. "Abe Lincoln in Illinois" premiere. Donate hotel for paralysis fight. Dog racing in Florida. Metaphysicians choose baby for everlasting life. Ice skooters on Long Island.

UNIVERSAL NEWSREEL, No. 844—Severe cold in Buffalo, Cleveland, Philadelphia, Atlanta, Washington. Military school in France. Troops move by air to maneuvers. Father Duffy honored. Fashions. Dog races. Horse and buggy races. Auto race on ice.

Board of Review Parley Thursday

National Board of Review of Motion Pictures will hold its 16th annual conference at the Hotel Pennsylvania here next Thursday, Friday and Saturday.

"Fifty Years of Films" will be principal topic of discussion. A luncheon, attended by stage and screen stars, will be held Saturday. Dr. A. A. Brill, newly-elected chairman of the National Board, will open the conference Thursday morning.

Schaefer, Myers In Neely Bill Talks

Hollywood, Jan. 25.—George J. Schaefer, RKO president, will address an open meeting of the Screen Writers Guild Monday night on the Neely bill. Abram F. Myers, general counsel of Allied States, is scheduled as the other principal speaker. The guild will vote on the measure.

MOTION PICTURE
DAILY
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"The Fighting 69TH"

HITS TODAY!

AND THEN!

What a Team! GARFIELD and SHERIDAN And O'BRIEN in "CASTLE on the HUDSON"
Burgess Meredith

AND THEN!

"Brother Rat and a Baby"
STARTS TODAY AT ROXY, N.Y.
First Warner show in 3 years to play B'way's 6000 seater

AND THEN!

EDWARD G. ROBINSON "THE MAGIC BULLET"
(It turns to gold when it hits the boxoffice!)

AND THEN!

Priscilla Lane
Thomas Mitchell
Dennis (New Star) Morgan
"THREE CHEERS FOR THE IRISH"

AND THEN!

OBERON
BRENT
O'BRIEN
FITZGERALD
"WE SHALL MEET AGAIN"

Clear the Tracks for the Virginia City Special
EASTER SEND-OFF FOR FLYNN · HOPKINS
RANDOLPH SCOTT, BOGART
"VIRGINIA CITY"

AND THEN!

SHERIDAN
LYNN
"IT ALL CAME TRUE"
BOGART
By Louis Bromfield (Rains Game)

FLYNN
"THE SEA HAWK"
And 1,000 others

CAGNEY
SHERIDAN
O'BRIEN
"TORRID ZONE"
AND MORE GALORE!

AND THEN!

DAVIS
BOYER
"ALL THIS AND HEAVEN TOO"
(From the best seller)

AND THEN!

JOHN GARFIELD
ANNE SHIRLEY
"SATURDAY'S CHILDREN"
Claude Rains

AND THEN!

BROS. FOR SHOWMANSHIP • WARNER BROS. FOR SHOWMANSHIP • WARNER BROS. FOR SHOWMANSHIP

CK L. WARNER In Charge of Production

THE GREATEST REV

"Destined to be recalled whenever great motion pictures are mentioned. Added to the small uncrowded shelf devoted to the cinema's masterworks. Flawless. Almost incredible rightness of film's casting. A great American motion picture. Its greatness lies in many things. What we've been trying to say is that 'The Grapes of Wrath' is just about as good as any picture has a right to be; if it was any better, we just wouldn't believe our eyes."

—Frank S. Nugent, N. Y. Times

"Honest, eloquent, challenging screen masterpiece. A great film. A heart-shaking and engrossing motion picture. Speaks straight and passionately of things close to the hearts of the people. A triumph of artistry and showmanship. An exciting and enriching emotional experience. Makes one proud to have even a small share in the affairs of the cinema."

—Howard Barnes, N. Y. Herald Tribune

"The most daring picture that has ever come out of Hollywood and one of the most important. Magnificent... great film document. An absorbing spectacle."

—Kate Cameron, N. Y. Daily News

"Darryl Zanuck's greatest production achievement. A work of great importance and significance. Always it is intensely fascinating and stirring. Has outstanding factors for boxoffice success. Well-nigh flawless." *—Hollywood Reporter*

"Profoundly stirring narrative takes possession of the screen and you. Much bigger than entertaining . . . unusually powerful." *—Archer Winsten, N. Y. Post*

"Dynamic entertainment pointed towards top grosses. Takes its place with industry's milestones. Grippingly and effectively enacted. The emotional impact is tremendous and the picture seems to eclipse the book itself." *—Film Daily*

Second day tops Rivoli's

THE GRAPES

EWS EVER WRITTEN!

"Limitless superlatives of praise are its just due. Will hold audiences enthralled through flawless production, direction, acting and the pathos of its theme. Casting was inspired." *—Boxoffice*

"A gripping picture. One you will remember for a long time." *—Jimmie Fidler*

"Merits a badge of honor for the U.S. movie industry." *—Life magazine*

"One of the greatest pictures in the history of the screen. Of such power and tremendous impact as to leave you stunned with wonder. Even surpasses the novel in its surging force. The adjectives 'overpowering' and 'magnificent' are all too inadequate in the face of an achievement like this. Nothing like it has ever been turned out by the movies before. It stands as a masterpiece."

—Leo Mishkin, N. Y. Morning Telegraph

"Better than the book." *—Walter Winchell*

"A magnificent picture. An absorbing story filled with human interest and tenseness. A picture 20th Century-Fox can boast about and Darryl Zanuck can feel is a real feather in his hat."

—Louella O. Parsons

"A great film, one of the greatest ever produced. Memorable. Belongs to everyone. An epic of courage. Unexcelled directing and acting. John Ford has proved once and for all that he is Hollywood's master story teller with the camera. Theme is powerful enough to grip you and thrill you."

—William Boehnel, N. Y. World-Telegram

20th CENTURY FOX

ecord-breaking opening!

OF WRATH

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 29	My Son Is Guilty *Bruce Cabot*	Balalaika (G-D) *Nelson Eddy* *Ilona Massey*		The Great Victor Herbert (G-M) *Walter Connolly*	Money to Burn (G-C) *Higgins Family*	Hunchback of Notre Dame (A-D) *Laughton*	The Cisco Kid and the Lady (G-D) *Cesar Romero*	Raffles (G-D) *David Niven* *de Havilland*	Destry Rides Again (G-O) *Dietrich-Stewart*	Invisible Stripes (A-D) *Raft-Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett*	The Earl of Chicago (G-D) *Montgomery*	Danger Ahead *James Newill*	Emergency Squad (G-D) *William Henry*		Legion of the Lawless (G-D) *George O'Brien*	Swanee River (G-D) *Ameche-Leeds*		Oh Johnny How You Can Love *Tom Brown*	A Child Is Born (A-D) *Fitzgerald-Lynn*
Jan. 12	Music in My Heart (G-M)	Shop Around the Corner (G-C) *Sullavan-Stewart*	The Secret Four (G-D) *Frank Lawton* Fatal Hour *Boris Karloff*	Geronimo (G-D) *Preston Foster* *Ellen Drew*	Heroes of the Saddle (G-O) *3 Mesquiteers*	Mexican Spitfire (G-C) *Velez-Erroll*	City of Chance (G-D) *Lynn Bari* *C. Aubrey Smith*	Of Mice and Men (A-D) *Burgess Meredith* *Lon Chaney, Jr.*	The Invisible Man Returns (G-D) *Cedric Hardwicke*	Brother Rat and a Baby (G-C) *Bryan-Lane*
Jan. 19	His Girl Friday (A-C) *Cary Grant*	Congo Maisie (A-D) *Ann Sothern* *John Carroll*	Hidden Enemy *Warren Hull*	Remember the Night (G-D) *Stanwyck* *MacMurray*		Married and in Love (G-D) *Alan Marshall*	He Married His Wife (A-C) *McCrea-Kelly*	Lion Has Wings (G-D) *Oberon-Richardson*	West of Carson City *Johnny Brown*	British Intelligence *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes *Warren William*	Lambeth Walk *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Wolf of New York *Edmund Lowe*	Saint's Double Trouble (G-D) *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell (G-D) *Joan Bennett* *Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier Convicted Women	I Take This Woman *La Marr-Tracy*	Chasing Trouble *Frankie Darro*	Parole Fixer *William Henry*	Village Barn Dance *Cromwell*	The Marines Fly High *Dix-Ball*	The Man Who Wouldn't Talk *Lloyd Nolan*		Danger on Wheels *Arlen-Devine*	Calling Philo Vance *Stephenson*
Feb. 9	Five Little Peppers at Home *Edith Fellows*	Broadway Melody of 1940 *Astaire-Powell*	East Side Kids *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night *Lombard-Aherne*	Little Old New York *Faye-MacMurray*		My Little Chicadee *West-Fields*	Castle on The Hudson *Garfield-O'Brien*
Feb. 16		Man From Dakota *Del Rio-Beery*	Murder on the Yukon (G-O) *James Newill*	Sidewalks of London *Laughton-Leigh*		Swiss Family Robinson *Bartholomew*	Young As You Feel *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred *Lowe-Lindsay*	Granny Get Your Gun *May Robson*
Feb. 23		Northwest Passage *Tracy-Young*	Cheyenne Kid (G-O) *Jack Randall*	Knights of the Range *Jean Parker*		Pinocchio (G)	They Came By Night *Will Fyffe*		Framed *Constance Moore* *Johnnie Downs*	Magic Bullet *Robinson*
Mar. 1	Blondie on a Budget *Arthur Lake*	Strange Cargo *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) *Tex Ritter*	Seventeen *Field-Cooper*		Little Orvie *Ernest Truex*	Earthbound *Baxter-Leeds*	House Across the Bay *Joan Bennett* *Raft*	Double Alibi *Morris-Lindsay*	
Mar. 8			Human Monster *Bela Lugosi*	Adventure in Diamonds (G-D) *Brent-Miranda*		Isle of Destiny *Gargan-Ford*	Chan in Panama *Sidney Toler*	Rebecca *Olivier* *Joan Fontaine*	Zanzibar *Craig-Lane*	
Mar. 15			Tomboy *Jackie Moran*	Women Without Names *Drew-Paige*		Millionaire Playboy *Joe Penner*		Over the Moon *Merle Oberon*		

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

JANUARY 19
Popeye the Sailor
SHAKESPEARIAN SPINACH

JANUARY 19
Cinecolor
UNUSUAL OCCUPATIONS #3

JANUARY 26
Grantland Rice Sportlight
BOWLING SKILL

FEBRUARY 2
Headliner
JIMMY DORSEY AND HIS ORCHESTRA

100% BOX OFFICE tested

Universal Net Profit in Yeer Is $1,153,321

(*Continued from page* 1)

holders accompanying the report, gives credit for the improved results to the new operating management headed by Nate J. Blumberg, president, which took office early in 1938. Cowdin points out that the past year was the first full year that the new management was in charge of the company's affairs, and that the net improvement for the past three years amounts to $2,608,566.

The company's cash position during the past fiscal year increased approximately $900,000, to $5,512,194, over the preceding year. In spite of this, bank loans increased $1,042,500, to $3,117,460, during the year. This was accounted for by increased production and release schedules and a generally higher quality of product. In addition, approximately $700,000 was spent during the year for studio improvements, the letter states.

For the present, Cowdin says, Universal sees to immediate need of revising its conservative estimate of the war's effects on operations which it expressed last Fall, but is aware that the situation is subject to change, "in which event adjustments may be necessary."

Universal Weighs Recapitalizing Plan

Recapitalization of Universal, in conjunction with a plan for simplification of the company's corporate setup, may be proposed this year. J. Cheever Cowdin, chairman of the board, has advised stockholders. A specific recapitalization plan has not been formulated yet.

The corporate simplification would provide for the consolidation of Universal Corp., the parent company, and Universal Pictures Co., Inc., the operating subsidiary. Universal Corp. was formed to purchase control of Universal Pictures from the late Carl Laemmle, Sr., and to provide working capital for the operating company following the purchase.

His letter points out that through Universal's "highly satisfactory" distribution arrangements in Great Britain and Canada with General Films Distributors and Empire Films, respectively, the company is relieved of the burden of Britsh quota production. He also states that unfavorable foreign exchange rates and the limitation on currency withdrawals from Great Britain "are moderated by the fact that sterling balances not required for current expenses abroad can be applied to reduction of the company's current loans in Great Britain."

He reports that Universal's foreign business was considerably larger last year than during the preceding year, accounting in 1939 for $8,987,128 of revenue, or 37.64 per cent of the total business done by the company.

The annual report states that Universal's taxes increased 93.96 per cent during the past three years, or from $486,267 in 1937 to $943,158 in 1939; that labor costs reached an all-time high last year, and that the company was subjected to the additional "considerable expense" of defending its position in the various anti-trust suits instituted by the Government.

Of these suits, the report says: "The issue of theatre ownership and operation, which many believe is the major issue, does not directly affect your company. On other issues, counsel believes that we can fully justify our position as an independent producing and distributing company."

The report states that during the past three-year period control of studio costs and maintenance of a steady flow of product has been highly satisfactory, putting studio overhead chargeable against the year's program "on a substantially lower basis than in any preceding year." In addition, it reports that individual picture budgets and the approved budget for the entire production program were not deviated from in any important respect during the 1938-'39 season.

Audience Can't Tell Whether It's Television or Film Show

Audiences viewing television on a screen 4½ feet by 6 feet cannot tell whether they are looking at a film or television, according to Elmer W. Engstrom, RCA-Victor research director, a witness at the F. C. C. hearings now in progress.

"People viewing it for the first time, after a moment or two, are quite unconscious of the method of portraying the picture," says Engstrom. "They are not sure whether they are looking at television or whether they are looking at a movie projection. It is so very good."

RCA officials who had indicated earlier this month that a demonstration would be ready by Jan. 15 say that the demonstration may be expected "within the next week or two."

Engstrom explained that the 4½ by 6 foot screen does not employ a projection principle. The light is "formed directly on the screen by the impingement of the electron stream on the phosphor, just on the inner surface of the tube," he explains.

Discussing experiments for projected pictures from smaller tubes, Engstrom states that the next step is to produce an image 9 by 12 feet.

"We have the development under way now to get apparatus together for testing that particular apparatus," he adds. "That size, of course, is getting into a size that might be useful for large audience viewing, even in theatres."

67 Advertisers Experiment With Power of Television

That television is proving an effective and interesting experimental field for advertisers is indicated in a report issued yesterday by NBC, which reveals that during the eight months' life of this video art 67 different advertisers sponsored a total of 148 programs over W2XBS.

The report, issued by Alfred H. Morton, vice-president in charge of television at NBC, discloses that the total hours per month devoted to advertisers rose from 6.5 hours to 11.4 in December.

Morton's report comprised evidence submitted to the F.C.C. last week. He declared that there are 2,000 set owners in the New York area with 89.8 per cent in homes and the rest scattered through theatre lobbies, hotels and other public places. The average evening audience is 8,000 persons out of a potential audience of 10,000, Morton asserted. The average for both day and evening is placed at 68.9 per cent of the potential audience.

Operating costs are $10,000 weekly on an "out-of-pocket" basis, but they reach $15,000 if overhead, depreciation and amortization are included. The cost per hour of programming fell, during November, to 45.5 per cent of the hour cost in May when operations began. W2XBS transmitted 20.48 hours during May but rose to 58.73 in December. The eight month total was 361.87 hours for the home viewer, exclusive of purely experimental telecasts.

In a unique poll of set owners, NBC asked that programs be rated "3" for excellent, "2" for good, "1" for fair, and "0" for poor. The average for all programs was 1.96, just a shade under good. Studio features led with 2.63, special events were next with 2.11, film features were third with 1.96, film shorts, 1.75. The best show was "Jane Eyre," a dramatic presentation, the worst was the Chinese National Independence Show from the World's Fair, the poll reported.

Live talent shows comprised 38.2 per cent of the total hours, films were second with 31.9 per cent and special events filled 29.9 per cent of the time.

Honor Cummings At Birthday Party

Alan F. Cummings, manager of M-G-M exchange operations, was given a surprise luncheon party at the Hotel Lincoln yesterday in celebration of his birthday.

Present, in addition to Cummings, were Jay A. Gove, Edwin W. Aaron, Joel Bezahler, M. L. Simons, Charles F. Deesen, Harold Postman, Constantine Carpon, William Gleicher, Arthur Lacks, Irving Helfont, William I. Levine, William Brenner, Ira S. Martin, Edward Lee, William Madden, Vincent Thompson and I. Leonard Hirsch.

Joins Birdwell Office

Ethel Butterworth has joined the publicity organization of Russell Birdwell and Associates.

Radio Brevities

Wythe Williams on the Air

A NEW commentator program, with Wythe Williams, the international correspondent who has scored a number of important scoops for the Greenwich *Times,* starts Monday over WOR when Philco returns to the air as a sponsor. Williams will make his offices in the WOR building and will employ a staff man in Washington and New York. The program will be heard Mondays, Wednesdays and Fridays at 7:15 P. M.

Personalities in the News

Les Tremayne, of the "First Nighter" cast, flies to the Coast tonight for a screen test. . . . Dick Stabile and his orchestra are now heard Wednesday and Saturday nights over WHN from the Essex House. . . . Simone Simon will be guest on "Fifth Row Center" on Sunday, Feb. 4, at 6 P. M. . . . Howard W. Kramer and Rocco Padula, Jr., have been added to the CBS publicity staff. . . .

Jack Schaindlin, Universal Newsreel musical director and pianist on the Lanny Ross show, will fly to Jacksonville, Fla., over the weekend. . . . Cities Service will tender a reception to Lucille Manners tonight at the club on the R.C.A. building observation roof. The occasion is her third anniversary as the star of the "Cities Service Hour."

Martin Block will celebrate the fifth anniversary of "Make Believe Ballroom" over WNEW on Saturday, Feb. 3 with a cocktail party at the Gold Room in the Ambassador Hotel.

Program News

Phil Cook's "Morning Almanac" heard Mondays, Wednesdays and Fridays at 7:30 A. M. over WABC, has been renewed for an additional 13 weeks by Liggett Drug Co. . . . NBC-Blue will add another quiz show on Friday, Feb. 16, at 8 P. M. when "This Amazing America" starts. Facts about America will be the subject of the quiz. Greyhound Lines are the sponsors. . . .

Procter & Gamble will use "Life Can Be Beautiful," heard over CBS, for an Ivory soap contest which will offer ten 1940 Buick sedans each week with 1,000 gallons of Fire Chief gasoline and a $50 credit for accessories for each car as first prizes. . . .

Dick Robertson and his band will be heard on a new show over WOR tonight at 10:15 P. M. for Hygrade-Sylvania radio tubes. After this week, the program will be heard Fridays at 10:30. "Harlem Night," broadcast from the Alhambra Ballroom in Harlem, will start Sunday at 10 P. M. over WEVD.

'Wind' Gets Record Windy City Opening

CHICAGO, Jan. 25.—With thousands storming the Loop seeking tickets and the advance sales nearing the $100,000 mark to break all records, "Gone With the Wind" tonight had simultaneous premieres at the Oriental and Woods theatres.

The Prize Baby MAKES AN ANNOUNCEMENT!

THIS IS A GRAND occasion for us. We feel warm, happy and grateful and we want to thank you . . . Exhibitor Leaders, Exhibitors, Producers, Trade Paper Publishers and Editors . . . the whole industry . . . for the hundreds of congratulatory messages you sent on the creation of our new child . . . ADVERTISING ACCESSORIES, INC.

● In this new addition to the **NATIONAL SCREEN** family we assume a tremendous obligation to our customers, to the distributors whose product we handle and to the industry. Our aim is satisfied customers . . . good, showmanship theatre advertising that will help you sell your show . . . and increased service . . . **NATIONAL SCREEN** Service! . . . and fair dealing to all.

● We have nothing to sell but advertising. Trailers on the screen through **NATIONAL SCREEN SERVICE.** Lobby displays through **NATIONAL SCREEN ACCESSORIES, INC.,** and now the complete line of distributor accessories for all companies serviced through the new baby . . . **ADVERTISING ACCESSORIES, INC.** Our aim has been and always will be to give you the best theatre advertising it is possible to produce at the fairest prices.

● Accessories for all companies serviced through the new **ADVERTISING ACCESSORIES, INC.,** will be available to you on a rental basis with current rental prices prevailing.

THERE WILL BE NO INCREASE IN PRICES!

● *That means immediate savings to those exhibitors who now buy their accessories outright. And, peering into the future, we feel certain that as our organization develops and our business increases we will be able to make substantial reductions in the price of accessories, as we did with trailers. Our record speaks for itself.*

● We have been in business twenty-one years and as our business has grown we have shared the benefits with our customers in reduced prices and superior service. We will continue to share, for we have learned during the years that fair dealing pays dividends.

● We are optimistic about our future and the future of motion pictures. The whole **NATIONAL SCREEN SERVICE ORGANIZATION** has been built around men with the ability to accept and foresee new trends . . . to inject new creative inspiration into theatre advertising.

● *We will continue to build that way, with the new baby too,* **ADVERTISING ACCESSORIES, INC.,** *devising new ways and means of bringing more people into your theatres through these great mediums of theatre advertising . . .* **TRAILERS . . . LOBBY DISPLAYS . . . ACCESSORIES.**

● We repeat—**ADVERTISING ACCESSORIES, INC.,** entails many heavy obligations. A tremendous financial obligation to our **COMPANY** . . . a serious obligation to **DISTRIBUTORS** whose productions we handle . . . an important obligation to **EXHIBITORS** whom we service. We will try to meet them in the same manner that we have always met our obligations.

● *For it has been a rule of our business life to let performance be our best advertisement. We will continue to live by that rule.*

NATIONAL Screen SERVICE · NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, INC.

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DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

[illegible]. 47. NO. 21 NEW YORK, U. S. A., MONDAY, JANUARY 29, 1940 TEN CENTS

RKO and Col. Balk Academy Over Shorts

Refuse Entries, Condemn "Unfair" Competition

HOLLYWOOD, Jan. 28.—Because of what they believe is unfair competition in the two-reel short subject awards division, both Columbia and RKO have refused to enter product in this section in the annual awards by the Academy of Motion Picture Arts and Sciences.

Jules White of Columbia and Bert Gilroy, short subjects producer of RKO, unsuccessfully petitioned the Academy awards committee to make separate classifications for comedies in this event, and their decision came as a result of their refusal to permit their two reel black and white comedies to compete with historical shorts in color and other much higher budgeted productions.

The Academy has three shorts divisions for awards—one reel, two reel and comedies. White for years has been attempting to have Academy leaders make a greater range of shorts awards. He said:

"I make pictures for theatres, not for projection rooms."

Warner 1st Quarter Profit Up $539,000

Net profit of $642,129, after all charges, is reported by Warner Bros. for the 13 weeks ended Nov. 25, 1939. This compares with a net of $103,804 for the same period the previous year.

Before amortization and depreciation charges and Federal taxes, the net profit from operations was $2,343,637.

Gross income for the November quarter, after eliminating intercompany transactions, was $24,741,166, compared with $25,418,166 in the same 1938 quarter. During the period $71,732 was credited to earned surplus.

The earnings are equivalent to $6.27 a share on 102,277 shares of preferred stock and 14 cents a share on the 3,701,090 shares of common stock outstanding Nov. 25. Preferred stock dividends in arrears as of Dec. 1, 1939, amounted to $29.84 a share.

Warners report cash assets of $6,909,383 on Nov. 25, and an unrealized foreign exchange credit of $586,702.

British Film Chiefs Fix Trade's War Status Tomorrow

LONDON, Jan. 28.—British film industry Tuesday expects action of significance when the Films Council meets to consider the memorandum setting the industry's course during the war.

Backbone of the legislative proposals, formulated by a council committee, is the Film Credit Bank, under which the British Treasury will arrange to finance British production. Informed sources indicate that approval of the plan by the British Board of Trade is almost certain.

Meanwhile, the Cinematograph Exhibitors Association is watching the situation closely. It will meet British producers and American distributors separately Wednesday to study the situation in the light of new quota plans. The Board of Trade is expected to present a quota proposal based on expenditure rather than footage.

Industry groups probably will be heard by the Board of Trade after it has studied the various proposals offered. The C.E.A. and the Film Industry Employes Council already have been promised a hearing.

Interstate Circuit Closes 'Wind' Deal

Interstate Circuit has closed with M-G-M for "Gone With the Wind" and the picture will open in 13 key cities of the large southwestern circuit on Feb. 7, R. J. O'Donnell of Interstate, said prior to his departure from New York for Dallas on Saturday.

Hughes to Produce Two, Signs Hawks

Hollywood, Jan. 28.—Howard Hughes, millionaire oil man, is returning to production within 90 days. He has signed a two-picture agreement with Howard Hawks, who will film one story by Ernest Hemingway and another by Ben Hecht. The films will be made at General Service studios and probably will be released through Warners.

Judging of Entries In Quigley Awards Starts Tomorrow

Judging of entries in the sixth annual Quigley Grand Awards contest will start tomorrow morning at the Hotel Astor.

A record number of acceptances from home office and out-of-town industry executives to serve as judges have been received and it is expected that most of them will be on hand when judging starts at 11:30 A. M.

Martin Quigley will be toastmaster at the luncheon following the judging.

The entries to be considered for the annual Silver and Bronze Grand Awards are those which have earned the highest ratings during the four quarters of the 1939 Competitions, conducted by Managers' Round Table of *Motion Picture Herald*.

Presentation of the year's highest honors will take place in Hollywood where a program of entertainment by

(*Continued on page 2*)

$85,000 Is Contributed At Federation Luncheon

"I know no greater charitable agency than the New York and Brooklyn Federations of Jewish Charities," former Mayor James J. Walker told more than 500 men and women who crowded the North Ballroom of the Hotel Astor at a luncheon Friday, held under auspices of the amusement division of the Federation.

A total of $85,000 in cash and pledges was contributed at the luncheon. David Bernstein and Major Albert Warner are co-chairmen of the division.

George Jessel was toastmaster and John Golden presided. The former mayor was the guest of honor.

Dais guests were: David Bernstein, Edwin S. Friendly, former N. Y. Supreme Court Justice Joseph Proskauer, Barney Balaban, Will H. Hays, Maurice Silverstone, Jack Cohn, Herman Robbins, B. S. Moss, Molly Picon, New York Postmaster Albert Goldman, Charles Silvers, Irving Berlin, Max Cohen and Commissioner of Licenses Paul Moss.

Outlining the needs of the "largest network of humanitarian agencies in the world," former Supreme Court Justice Proskauer lauded the activities of the Amusement Division on behalf of "the orphan, the sick and the underprivileged among our neighbors here at home."

In the complex life of a huge city

(*Continued on page 2*)

Fear Japan's Film Market Lost to U. S.

Trade Bonds Ruptured; See Tokyo Monopoly

Complete loss of the Japanese market to American films is seen by industry foreign trade authorities as a possible aftermath of the ending on Friday of the U. S.-Japanese trade treaty.

Industry observers believe a situation not unlike that in Italy may arise if anti-American sentiment, already widespread in Japanese official circles, increases as a result of the lapse of the trade treaty and if no new trade accord is adopted.

Establishment of a film importing and distributing monopoly in Japan is regarded as an almost certain development in such a case.

A complete "force-out" of the American companies by Japan is not unlikely, according to this source.

"There is virtually no probability of the situation getting better for American distributors," one trade official said, "and there appears to be every likelihood that it will get worse."

Meanwhile, the situation eliminates

(*Continued on page 2*)

RKO Starts Anew; $8,000,000 Capital

RKO started operations Friday free from the supervision of the U. S. District Court or trustee with a working capital of over $8,000,000 in cash.

This capital is approximately double the current liabilities. In addition, the company has no outstanding indebtedness, its capital structure consisting only of preferred and common stock.

All assets in the hands of the Irving Trust Co., trustee of RKO, with the exception of a cash reserve of some $80,000, for expenses, were

(*Continued on page 4*)

Hitler, Aides Satirized By Stooges Comedy

HOLLYWOOD, Jan. 28.—The first comedy from Hollywood to have as its entire theme the satirizing of the Hitler-Goering-Goebbels rule over Germany will be a two-reel short subject, "You Nazty Spy," being released by Columbia next week, it was revealed today.

Starring the three Stooges, the film, which studio kept under cover during

(*Continued on page 4*)

Purely Personal

FRED SCHWARTZ, Arthur Baker, Monroe Greenthal, Emanuel Silverstone, Arthur Silverstone, J. J. Milstein, Charles Stern and **Harry Koziner** return today from Lake Placid, where they spent the weekend.

•

Beatrice Greene, secretary to **Joseph Hummel**, Warners general foreign manager, has resigned after 16 years with the company's foreign department. **Miss Greene**, who is **Mrs. Monroe Levy**, started at First National as secretary to **Bruce Johnson**.

•

Sir Cedric Hardwicke left for the Coast Friday via TWA. On the same plane were **Al Melnick** of Louis Shurr's agency office, going to Hollywood, and **E. Pearlman** of National Screen Service, the latter headed for Kansas City.

•

William Devaney, Cincinnati office manager for M-G-M, observed his birthday Saturday. **William Parker**, Seattle publicity representative, and **Frank Gaskell**, Des Moines booker, have birthdays today.

•

Leonard Goldenson, Paramount home office theatre executive, will leave for the South on Wednesday for conferences with company theatre partners.

•

Louis Pollock went to Washington Friday to make advance arrangements for **Gloria Jean**'s visit there for the President's Birthday Ball Tuesday.

•

Irving Cohen of the Paramount home office legal department was in Philadelphia Friday for the hearing in the Admiral anti-trust suit.

•

Tom Connors, M-G-M eastern and southern district manager, will return today from a short busines trip to Canada.

•

Arthur Butler, assistant manager of the Capitol, Halifax, is the father of a daughter, born to **Mrs. Butler** last week.

•

Thomas Courtney, manager of the Casino, Halifax, has been awarded one of the 1939 Amateur Cinema League's five Canadian prizes.

•

Madeleine Carroll left the Coast Friday on the first leg of a journey to her chateau in France. She sails Feb. 3 from New York.

•

William F. Rodgers, M-G-M general sales manager, plans to leave late this week for conferences at the studio.

•

Jane Wyman and **Ronald Reagan** were married Friday at the Wee Kirk o' the Heather Church in Glendale, Cal.

•

Jane Darwell, Johnny Russell and **O. Z. Whitehead**, 20th Century-Fox players, returned to the Coast over the weekend.

•

J. M. Podoloff, Minneapolis branch manager for 20th Century-Fox, has returned to his office after visiting the home office en route from a vacation.

•

Henry Wolper, M-G-M office manager in Boston, left over the weekend after conferring at the home office.

•

Jack L. Warner, vice-president of Warners, will leave for the Coast at the end of the week.

•

Sam Katz, M-G-M production executive, arrives here Friday from the Coast for home office conferences.

•

W. A. Scully was confined to his home with a cold over the weekend.

$85,000 Is Contributed At Federation Luncheon

(*Continued from page 1*)

such as New York, personal charity is almost impossible of achievement, Judge Proskauer said. "The Federation was created as the agent of its supporters in bring desperately needed aid to the less fortunate," he declared.

In introducing the former mayor, Golden said that he belonged in "show business with the rest of us. He began his career, so to speak, as a song writer, and now he is turning out another great song." A scroll was presented to Walker on behalf of the Amusement Division.

Among those present were Julian Abeles, Willard Alexander, Jack Alicoate, Herman Bernie, Irving Caesar, Oscar Doob, Sam Forrest, Maurice Kann, Eddie LeBaron, Bertram Lebhar, Sam Lyons, Arthur Israel, Margo, William Morris, Jr., Louis Nizer, Isroy M. Norr, Ole Olsen, Sidney H. Piermont, Mr. and Mrs. Harold Rinzler, Mr. and Mrs. Samuel Rinzler, Budd Rogers, Charles A. Rogers, Max Rudnick, Eddie Rugoff, Marvin N. Schenck, Sam Shain, Lillian Shaw, Joseph Shaller, Nathaniel Shilkret, John Shubert, Noble Sissle, Bernard Sobel, Arthur Tracy, Al Trahan, Sam Yolem.

Also Morris Kinzler, A. Mike Vogel, Al Altman, Sidney Phillips, Leopold Friedman, C. C. Moskowitz, Harry Bernstein, Arthur Kelly, James Cunningham, Robert Newman, Leonard Goldenson, Leon Goldberg, John O'Connor, Fred Meyers, Harry Mandel and Nate Spingold.

Japan's Film Trade Lost to U. S. Studios

(*Continued from page 1*)

whatever chance there may have been of Japan easing its film import regulations now in effect, despite representations made on the industry's behalf by Ambassador Joseph C. Grew and the repeated petitions of the American film board in Tokyo, foreign trade authorities assert.

Current regulations already are proving onerous to the American distributors and several have expressed doubts as to their ability to continue to operate under them for long if concessions were not forthcoming from Japan.

Guaranteed Sets Symphonic Shorts

Guaranteed Pictures has available for release now two "Symphonic Featurettes," with Fredrick Feher conducting the National Philharmonic Symphony Orchestra of 122 pieces and a chorus of 100. The first two are "Aida" and "Rosamunde."

Now in preparation are: "Stephen Foster Songs," "Pittoresque," "Lohengrin Bridal Chorus," "Negro Spirituals," with chorus; "Capricio Espagnol," "1812 Overture," "Polovetzer Dances," "Leonore 3 Overture," "Tales from the Vienna Woods," "Second Liszt Rhapsody" and "Jazz Symphony," with chorus.

Vetoes Manila Ordinance

MANILA, P. I., Jan. 28.—Mayor Eulogio Rodriguez has vetoed a resolution requiring local houses to show at least one-domestically-produced film each month.

Decision Reserved In Goldwyn Action

United Artists Friday contended before Federal Judge Bondy that the suit of Samuel Goldwyn for $54,559 should be dismissed on the ground that he had assigned his claim to the Bank of America. Judge Bondy reserved decision after attorneys for both sides argued on questions of law and fact.

Goldwyn is seeking interest payments on his $54,559 bonus for premium grosses on individual pictures which the company pays to its producers.

Lubitsch Is Guest Of Music Hall Staff

Ernst Lubitsch, producer of M-G-M's "Shop Around the Corner," current attraction at the Radio City Music Hall, was guest of honor at a luncheon given by the theatre's executive staff in the Music Hall studio apartment Friday.

Gus S. Eyssell was host in the absence of W. G. Van Schmus, managing director, who is in California. Among others present were Leon Leonidoff, Russell Markert, Gene Snyder, Florence Rogge, Hattie Rogge, Erno Rapee, Maurice Baron, Fred Cruise, Gene Braun, Robert E. Henderson and Hazel Flynn.

'Lincoln' Will Open On Coast Thursday

LOS ANGELES, Jan. 28.—RKO's "Abe Lincoln in Illinois" will have a pre-release showing at the Four Star Theatre here, starting Thursday. Tickets will be priced at $5.50. Following the premiere, the film will be shown on a two-a-day, reserved seat basis. Prices will be 83 cents and $1.10 for matinees and $1.10 and $1.65 for evenings.

Two Negro Features

HOLLYWOOD, Jan. 28.—International Roadshow Attractions have announced "Mystery in Swing" and "Darktown Strutters' Ball" as the first two of four features with all-Negro casts to be produced for the first quarter of 1940. A Benny Bray production and an Argus Pictures feature now in preparation will follow, according to George Randol, in charge of production for Bert Goldberg, president.

Judging of Entries In Quigley Awards Starts Tomorrow

(*Continued from page 1*)

production heads and stars is being arranged for the winners.

Among out-of-town executives expected at the judging are J. J. Fitzgibbons, vice-president of Famous Players Canadian theatres; J. M[illegible] Schine, president of Schine Theatres, and Alex Manta, president, Indiana-Illinois circuit.

Acceptances have also been received from: H. D. Buckley, Maurice Bergman, Charles L. Casanave, Jack Cohn, Albert Deane, Oscar Doob, Lynn Farnol, Edward M. Fay, William R. Ferguson, Harry Goldberg, Edward Golden, Robert M. Gillham, Leonard H. Goldenson, E. C. Grainger, Monroe Greenthal, W. J. Heineman, Nat Holt, Arthur W. Kelly.

Also Irving Lesser, Carl Lesserman, Louis Lifton, Charles E. McCarthy, F. J. A. McCarthy, S. Barret McCormick, Harry Mandel, Leon Netter, J. J. O'Connor, Louis Pollock, Charles Reagan, Arch Reeve, W. F. Rodgers, Gradwell Sears, Harry F. Shaw, Milt Silver, A. W. Smith, Jr., Cresson E. Smith, J. R. Vogel, George C. Walsh, Herman Wobber and William A. Scully.

Warner Managers' Contest Under Way

PHILADEPHIA, Jan. 28.—Fifth annual Managers' Parade, a contest of Warner Theatre managers in this zone, started its 10-week run over the weekend. Managers of the winning district will share a $1,000 award. Theatre revenues, efficiency of operation and exploitation are the main factors considered in determining the winner.

Competing in the contest will be the districts of Skip Weshner, Jack Flynn, A. J. Vanni, Larry Graver, Steve Barutio, Lou Davidoff, Paul Castello, Jack Mulhall and Al Plough.

Thompson Drops Plans

HOLLYWOOD, Jan. 28. — Orville Thompson, president of Retsama Film Productions, disclosed the resignation of Henry Bellous as producer and director and the cancellation of plans to film the Russian novel, "Chocolate." Plans calling for Mae Murray to make two films also have been cancelled.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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THE fighting 69th

JAMES CAGNEY · PAT O'BRIEN
GEORGE BRENT
in 'THE FIGHTING 69TH'
with
JEFFREY LYNN · ALAN HALE · FRANK McHUGH
DENNIS MORGAN · DICK FORAN
WILLIAM LUNDIGAN · GUINN "BIG BOY" WILLIAMS
HENRY O'NEILL · JOHN LITEL
Directed by WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin · A Warner Bros.-First National Picture

BEST EVER!

(We mean ever—even beats 'Singing Fool'!)

Below zero and coldest in years yet there's an all-time record in every one of these spots! Check these first returns for yourself . . . then watch new engagements bring new record news!

Fox	St. Louis
Metropolitan	Boston
Orpheum	Kansas City
Brandeis	Omaha
Warner	Memphis
Fox	San Francisco
Keith's	Syracuse
Warner	Youngstown
Durfee	Fall River
Majestic	Dallas
Strand	New York
Fox	Philly
Chicago	Chicago

MARK OF SHOWMANSHIP

Warners for Showmanship!

'Herbert' Top Seattle Draw With $6,500

SEATTLE, Jan. 28.—"The Great Victor Herbert" and "Henry Goes Arizona" with $6,500 at the Paramount, was the only bill to do better than average. The weather was very cold.

Estimated takings for the week ending Jan. 26:

"Raffles" (U. A.)
"Torchy Plays With Dynamite" (20th-Fox)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Remember the Night" (Para.)
"Mexican Spitfire" (RKO)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $6,200. (Average, $7,000)
"Music in My Heart" (Col.)
"Beware Spooks" (Col.)
LIBERTY—(1,800) (10c-15c-25c) 7 days. Gross: $3,800. (Average, $5,000)
"Swanee River" (20th-Fox)
"Missing Evidence" (Univ.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,800. (Average, $4,000)
"The Earl of Chicago" (M-G-M)
"The Cisco Kid and the Lady" (20th-Fox)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $5,600. (Average, $6,000)
"Brother Rat and a Baby" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Betty Vickers. Gross: $4,600. (Average, $5,000)
"The Great Victor Herbert" (M-G-M)
"Henry Goes Arizona" (M-G-M)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,500. (Average, 6,000)

Hitler, Aides Satirized By Stooges Comedy

(Continued from page 1)

its shooting, gives the Stooges the names of "Hailstone," "Gallstone" and "Pebble."

While the name of the country in the film is called "Moronica," no doubt is left that a parallel of Germany is intended. Mannerisms of Hitler are aped by "Hailstone," even to speeches in German. "Gallstone" wears a resplendent uniform bedecked with medals, including several on his coattails.

The plot has munitions makers aiding a trio of paperhangers to oust the king of "Moronica" in a move referred to as a "Beer Hall Putsch." Successful, they launch into a series of persecutions, including the burning of all books in the nation and demanding concessions of land from other countries. The trio at a peace conference "appeases" ministers from other lands by violence.

During a lull, "Hailstone" and "Gallstone" dance around with each other and play pattycake. They discover a spy named "Mata Herring," who escapes to help the deposed king stage a revolt against them.

The dictator and two aides flee by mistake to a "lion's den" populated by ferocious beasts at behest of dictator and are devoured. Fadeout has lion, which ate "Hailstone," belching.

In the dialogue between the Stooges several words of Yiddish are used prominently. Jules White produced the short, which pulls no punches in speeches and action concerning dictators and their methods.

Club Plans Benefit

ST. LOUIS, Jan. 28.—Plans are being formulated here by the Variety Club for a benefit show at the Municipal Auditorium at the end of February to obtain funds for pneumonia serum for the city hospitals.

Critics' Quotes . . .

"ABE LINCOLN IN ILLINOIS" (RKO)

A significant screen drama. . . . An altogether satisfying biography of America's ranking idol. . . . It creates a warm, living and eloquent portrait of its hero. . . . Hollywood also is entitled now to feel it has created a fitting memorial to Lincoln.—**Jay Carmody, Washington Star.**

Adheres closely to the celebrated stage play. . . . Raymond Massey's performance from beginning to end is a superb piece of miming. . . . A rounded and compelling dramatic entity.—**Nelson B. Bell, Washington Post.**

"Abe Lincoln" is a one-man picture, if ever there was one. . . . Massey's characterization is more than skin deep. . . . He is great—really great—in the spectacular scenes, but he is equally great in the scenes where he doesn't say a word.—**Carol Fink, Washington Times-Herald.**

THE LION HAS WINGS" (Korda-U.A.)

A fascinating film as well as first rate propaganda. . . . Brilliantly staged and staunchly performed. . . . Alexander Korda has produced this semi-documentary, semi-staged photoplay with a laudable lack of hysteria.—**Howard Barnes, N. Y. Herald Tribune.**

Although it is propagandistic, "The Lion Has Wings" happens also to be a tremendously interesting and exciting motion picture. . . . The German raid is a gripping and fearful sequence. . . . An interesting, informative and thrilling show.—**Frank S. Nugent, N. Y. Times.**

It is propaganda, frank, pure and unadulterated. . . . The film is entirely factual. . . . Every minute of it is absorbingly interesting. . . . No more important piece of British propaganda has been seen in the theatre during our times.—**N. Y. Daily Mirror.**

An undisguised British propaganda picture. . . . The film has no fictional plot or story.—**Rose Pelswick, N. Y. Journal and American.**

A documentary picture, not a story-telling one. . . . Is all propaganda, all documentary and your interest in it will depend entirely on your interest in the British style of approaching the current war.—**N. Y. Post.**

Frankly propaganda and, as such, a little difficult for a neutral to take. It is expert propaganda, however. . . . An interesting and well-made specimen.—**Eileen Creelman, N. Y. Sun.**

How England defends itself from enemy air raids, and in turn strikes back at its opponent is told vividly and instructively. . . . An absorbing documentary. . . . The film is worth seeing because it is enormously entertaining.—**William Boehnel, N. Y. World-Telegram.**

Reorganize G. N. Canadian Company

TORONTO, Jan. 28.—A reorganization of Grand National Films, Ltd., a Canadian company, is announced by H. J. Allen, vice-president and managing director, as a result of the Grand National windup in the United States. The Canadian firm was an independent incorporation, but, in view of developments, the name will be dropped and Allen will use his own name for the time being at least.

Allen will be the Canadian distributor of Fine Arts and George Hirlman productions as well as a number of state-right features, one of which, "France Is Ready," has been booked into many circuit and independent houses across the Dominion. H. Kauffman is the Montreal branch manager of the Allen exchange organization; I. H. Allen is branch manager at Winnipeg and J. Allen recently took charge at Vancouver.

Nominations Listed For Sound Award

HOLLYWOOD, Jan. 28.—John Aalberg, chairman of the Academy sound recording award committee, has announced the following nominations for the award:

"Balalaika," "Day-time Wife," "Gone With the Wind," "Great Victor Herbert," "The Hunchback of Notre Dame," "Man of Conquest," "Mr. Smith Goes to Washington," "Of Mice and Men," "Private Lives of Elizabeth and Essex," "When Tomorrow Comes." Meetings to view the nominated productions will be held during the next six weeks.

Suit Asks $590,000 In Song Royalties

Suit for $590,000 in royalties during the last 20 years on "Nola" and three other songs has been brought in Supreme Court, Brooklyn, by Mrs. Charlotte Arndt Alexander as administrator of the estate of her brother, the late Felix Arndt, composer. Sam Fox Publishing Co. is defendant. The other compositions are "Marionette," "An Operatic Nightmare" and "Clover Club." The publishing company has filed a general denial and asserts "Nola" was purchased outright.

Loew Stockholder Suit Is Dismissed

Suit of Norman Wolf and Mannes Fuld, minority stockholders of Loew's, against that company, A.T.&T., Western Electric and Erpi has been dismissed by N. Y. Supreme Court Justice Valente for failure to state a cause of action. Justice Valente ruled that charges that Loew's was paying excessive rentals for sound production equipment had not been substantiated in the complaint.

Suit Over 16mm. Rights

Suit for $35,000 damages and an accounting has been filed in N. Y. Supreme Court against Majestic Pictures Corp., Major Film Laboratories, Inc., Herman Gluckman and Thomas W. Evans by Phil Goldstone Productions. Plaintiff claims that Majestic assigned the 16 mm. rights to ten of its films without its authorization.

Frigid Wave Hurts Denver Film Business

DENVER, Jan. 28.—Severe cold wave, with temperature below freezing all week, and below zero much of the time, caused grosses to suffer.

Estimated takings for the week ending Jan. 24:

"Destry Rides Again" (Univ.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"The Great Victor Herbert" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $6,000. (Average, $6,500)
"We Are Not Alone" (W. B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $8,500. (Average, $9,000)
"Shop Around the Corner" (M-G-M)
"Flying Deuces" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $8,000. (Average, $9,000)
"Barricade" (20th-Fox)
"City of Darkness" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)
"Four Wives" (W. B.)
"Laugh It Off" (Univ.)
RIALTO—(878) (25c-40c) 7 days. "Four Wives," 3rd week. Gross: $2,000. (Average, $1,750)

RKO Starts Anew; $8,000,000 Capital

(Continued from page 1)

transferred to the new company Friday.

The transfer ceremony, consisting largely of bookkeeping entries and the delivery of securities, took place in the Irving Trust offices in the RKO building.

Representatives of both the Irving Trust and the new company were present at the transaction which lasted less than a half hour. The trustee is expected to remove his offices from the RKO building within the next two weeks.

A statement issued by RKO pointed out that the company in seven years of reorganization proceedings had reduced its fixed indebtedness by $11,000,000, exclusive of reductions effected by the plan. Moreover, it reported that gross income was increased from $44,000,000 in 1933 to $52,000,000 in 1939.

Republic's New Film Has Village Preview

About 150 persons, including exhibitors, circuit executives and the press, were guests of H. J. Yates and Morris Epostein, manager of Republic's New York branch, at a dinner and screening of "Village Barn Dance" at the Village Barn in Greenwich Village Friday night.

Gene Autry, Republic's Western star, was guest of honor, having arrived from Washington. Among the guests were Joseph Bernhard, Al Finestone, Marvin Schenck, John Benas, Al Suchman, Al Reid, Arthur Schwartz, Jack Hatten, Sidney Picker, Harry Wurtzel, Grover Schaefer, Charles Reed Jones, David Whalen, Frank Lynch, James Cunningham, in addition to Amon G. Carter, publisher of the Fort Worth *Star Telegram;* Congressman John Nichols of Oklahoma; Councilman Alfred E. Smith, Jr.; Robert Johnson, assistant publisher of the *Mirror;* Judy Canova, Buddy Hazzard, Stan Lomax, Block & Sully and others.

BEGINNING TODAY, RIVOLI THEATRE FORCED TO UNPRECEDENTED POLICY OF 3 A.M. CLOSING TIME DAILY. "THE GRAPES OF WRATH" EXTRA WEEK-END SHOWS NOT ENOUGH TO CARE FOR OVER-CAPACITY CROWDS. HOUSE STAFF INCREASED 60% AS "THE GRAPES OF WRATH" GOES INTO SECOND RECORD-BREAKING WEEK!

20th CENTURY FOX

Film to Show Modern Reich; Stars Chosen

Hollywood, Jan. 28. — Margaret Sullavan, James Stewart, Frank Morgan and Robert Young will have the top roles in "The Mortal Storm," story of the disintegration of a community in present-day Germany by Phyllis Bottome. Sidney Franklin will write the script and Frank Borzage will direct.

Ralph Spence has completed the script of "The South American Way" for 20th Century-Fox and the book for "Salute to Spring," which is scheduled to open on Broadway soon. . . . Mervyn LeRoy has started "Waterloo Bridge," starring Vivien Leigh and Robert Taylor, at M-G-M. . . . Joseph Santley's first directorial assignment at Paramount will be "Dance, Little Lady," story by Joe May, Max Kolpe and Jean Lustig, purchased by Paramount from Columbia. Susan Hayward, Robert Paige, Peter Hayes, Virginia Dale, Lillian Cornell and William Frawley get top roles. . . . 20th Century-Fox has put Ranar Qvale, ski expert at Sun Valley, under a term acting contract. . . . The same studio has purchased "Pier 13," by David Burton and described as a big city comedy.

Harry Sherman has purchased "Ranger Guns West," by Norton Parker, as a western special. William Herndon was the agent. . . . Fine Arts has signed Phil Rose to direct "At Your Age," Otis Garrett to direct "If This Be Reason," and John Kraft to do the script of "At Your Age." . . . The David L. Loew-Albert Lewin producing company has purchased Erich Maria Remarque's "Flotsam" from M-G-M. . . . William T. Orr of "Meet Some People," Theatre Alliance show, has been given a Warner term contract. Lois Ransom of the same company has been signed by Republic, while Warners earlier signed June Clayton. . . . Robert Benchley is working on the screenplay of Vincent Sheean's "Personal History," which Walter Wanger will produce.

Neil Hamilton draws a role in Paramount's "The Woman from Hell." . . . Producer Paul Jones is using the University of Southern California band in "Down Went McGinty" at Paramount. . . . In addition to doing "I Want a Divorce" at Paramount, Joan Blondell will do "Two Girls on Broadway." featuring George Murphy and Lana Turner. . . . Murphy has been given a new long term contract at the studio. . . .

Twentieth Century-Fox has purchased Jules Furthman's original, "Too Much for One Man." . . . Cora Witherspoon has been cast in Century-Fox' "Sweetheart of Turret One," in which Jon Hall and Nancy Kelly have the leads.

Paramount plans "Mystery Ship," story of wartime sea raiders by Robert Grant, with Ray Milland and Susan Hayward heading the cast. Akim Tamiroff, Lynne Overman, J. Carrol Naish and Albert Dekker will support them. Eugene Zukor will produce.

Film Stars to President's Ball

A large number of film players will attend the President's Birthday Ball in Washington tomorrow night. They will be guests of Mrs. Franklin D. Roosevelt at a White House luncheon tomorrow.

Among those who will attend are Tyrone Power and Annabella, who arrived here Friday; Mickey Rooney, who will arrive in New York Wednesday; James Cagney, Edward G. Robinson, Pat O'Brien and their wives; Brenda Joyce and Gloria Jean.

Cagney and O'Brien will go to the Coast from Washington. Robinson will return to New York.

Officers Nominated By Variety Artists

Philip Irving was nominated for the post of president of the New York chapter of American Guild of Variety Artists over the weekend by the nominating committee.

Elections must be held on or before Feb. 23. Additional nominations may be made by petition if filed before Feb. 3. Dave Fox was named for the vice-presidency; Peter Wells, second vice-president; Hazel Scott, third vice-president; Michael Lewis, fourth vice-president; Sam Kramer, fifth vice-president; Helen Sanford, secretary; and Alfred Stone, treasurer.

For the executive board candidates named were Charles Arno, Henry Berman, Billy Glason, Jack Gilford, Al Hammer, Lionel Murray, Mario Naldi, Fred Pisano, Elton Rich, Ed Rickard, Noble Sissle, Thelma Flowers and Arthur Ward. Alternate candidates named were Charles Honi Coles, Dorothy Stone, Jay Dixon and Al Shayne.

Mutual Changes Lineup of Stations

Mutual reshuffled its station lineup over the weekend, effective Feb. 1. Following Elliott Roosevelt's dropping of 11 stations from his Texas State Network earlier this month, Mutual is now contracting directly with six of the major Texas stations instead of through the Roosevelt web.

The stations affected are WRR, Dallas; KFJZ, Fort Worth; KYYZ, Houston; KABC, San Antonio; KNOW, Austin; and WACO, Waco. Service to six other stations will be continued through TSN. These are KRBC, Abilene; KBST, Big Spring; KGKL, San Angelo; KRRV, Sherman; KTEM, Temple, and KCMC, Texarkana.

Also on Feb. 1, WSAY, Rochester, joins Mutual. The new setup gives Mutual seven basic stations, 30 Don Lee stations, 17 Colonial Network stations, 12 Texas stations, six Oklahoma stations, 11 in the Southeastern Group, two in Hawaii and 33 other affiliated stations.

Air Responsibility Bill Is Expanded

Albany, Jan. 28.—Inclusion of radio station responsibility for the broadcasting of untrue or misleading advertisements is called for in the bill of Assemblyman A. F. Goldstein, New York, who would amend the penal code to make such false statements to the public a misdemeanor.

Responsibility is set up both for the persons or corporations purchasing the radio time and for operators or owners of radio stations.

Ticket Price Control Bill Given Assembly

Albany, Jan. 28.—Another legislative attempt to give support to the New York League of Theatres ticket code has been started by Assemblyman MacNeil Mitchell with the introduction of a bill to limit the resale premium charged by brokers to 75 cents above boxoffice prices.

The bill provides for jurisdiction by the commissioner of licenses or chief executive in each municipality over ticket agency licenses. Convictions would be punishable by a $250 fine and one year's imprisonment.

A law limiting premiums was passed several years ago but was declared unconstitutional by the courts. The bill passed the Assembly last year but was defeated in the Senate. The present bill is drafted to hurdle the constitutional objection, it was learned here. A similar bill was passed by the New York City Council last November but Mayor LaGuardia vetoed it on the grounds that it was unconstitutional and that producers could regulate the brokerage business themselves if they desired to do so.

Picture in East? Lubitsch Says No

Contrary to reports, Ernst Lubitsch has "no definite plans" for making a picture in New York at any time in the near future, the producer stated over the weekend.

"I conferred with Mayor LaGuardia, and exchanged views with him on Eastern production," Lubitsch said, "but there is nothing definite about my doing a picture here."

Lubitsch plans to leave for the West at the end of the week and will start work in Hollywood on his first production for United Artists after taking a few weeks' vacation.

Ticket Agency Fined For Violating Code

Evidence that the Code Enforcement Authority of the ticket code means to enforce the code stringently came over the weekend when the Authority ruled that Leo Newman's ticket agency had dealt with an unaccredited broker and imposed a fine of $250, payable on Friday. In addition, the agency was directed to post a $500 bond against future infractions. Several other cases are pending and additional decisions are expected Friday.

Miss Ford to Miami

Marjorie Ford, soprano, will appear with Edward Everett Marshall in a series of light operas which Fortune Gallo will present in Miami at the Orange Bowl, beginning Feb. 9.

Radio Brevities

TWO new quiz shows, each giving away $500 weekly, start over Mutual in February to bring the network's total number of quiz shows to seven. "Play Broadcasts," under the sponsorship of the Illinois Meat Co., will distribute cards similar to th[illegible] used in bingo with boxes che[illegible] when a play's name is recognized. It will be heard Mondays at 8 P. M., starting Feb. 19. In addition to filling the cards, the audience must submit slogans. "Cash on Delivery" is the second and starts Wednesday, Feb. 14, at 8 P. M. Curtis Candy Co. will sponsor but details of the show have not yet been set.

Personalities in the News

Abe Schecter, NBC special events head, has returned from a Florida vacation. . . . Al Pearce starts his policy of having old vaudevillians on his program Wednesday with Jim Kelso, Walt Ambler and Dick Lane as the first guests. . . . Ruth Chatterton will be guest on the "Texaco Star Theatre" Wednesday evening. . . . Edward G. Robinson will broadcast "Big Town" from Washington tomorrow evening where he will be for the President's Birthday Ball. . . . Frank Luther. NBC singer, has completed a record album of "Aesop's Fables" set to his original music.

Birthday Ball Broadcasts

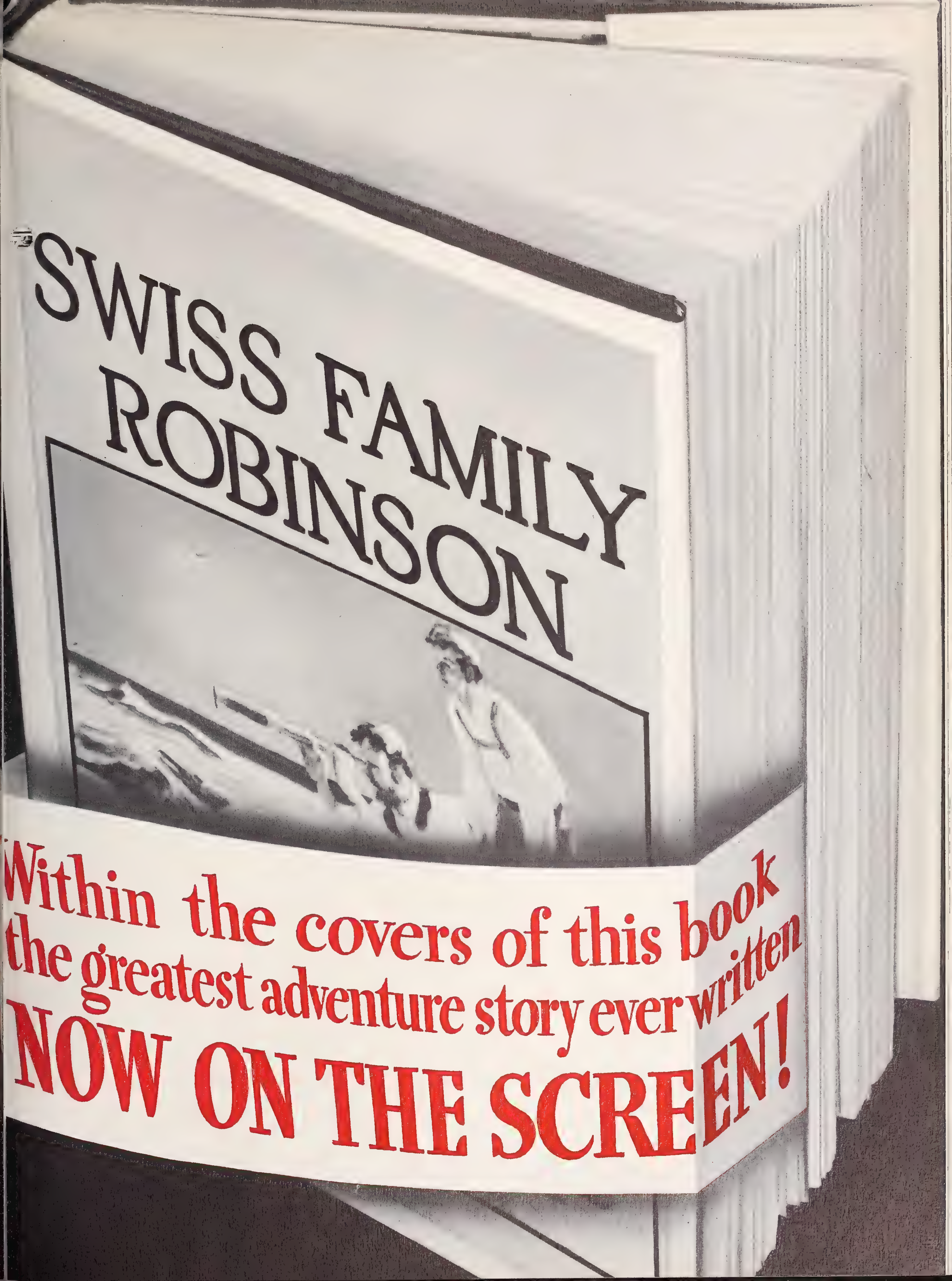
All three major networks will carry the special one-hour broadcast of the President's Birthday Balls tomorrow at 11:15 P. M. There will be pickups from Boston, New York, Washington, Omaha, Chicago, Oklahoma City, Portland, Oregon and Hollywood. Name bands from many parts of the country will be heard and President Roosevelt will speak from the White House. The broadcast will wind up the March of Dimes drive over the air.

Program News

B. T. Babbitt adds 17 stations for the "David Harum" show, effective Feb. 19, and has renewed for an additional 52 weeks. Total number of NBC-Red stations to be used will be 40. . . . Paramount has purchased six participating 50-word announcements on the "Breakfast in Bedlam" show over WJZ for the week of Feb. 5. . . . Arrangements have been completed bv Paramount for Jackie Cooper and the winners of the "Seventeen" contest to appear as guests of Ben Alexander on the "Little Old Hollywood" show over NBC-Red on Lincoln's Birthday. . . . Gillette Safety Razor will sponsor the Kentucky Derby broadcast over CBS on May 4.

Mexican Politics on Air

From Mexico City we learn that although Mexican workers have repeatedly declared themselves opposed to the use of radio for political purposes, the Party of the Mexican Revolution has decided to use the air on a wholesale scale for Gen. Manuel Avila Camacho, its presidential candidate. Radio time will be used from February until July 6, eve of the election.


SWISS FAMILY ROBINSON
Within the covers of this book
the greatest adventure story ever written
NOW ON THE SCREEN!

SWISS FAMILY ROBINSON

The first producti effort of that mo famous and succe ful writing team **GENE TOWNE a GRAHAM BAKE**

The screen's outstanding thrill novelty . . . the picture that gives your theatre the most unusual and different BIG SHOW you've had in a long, long time! . . . Something NEW to advertise . . . Something UNUSUAL to offer real movie-hungry millions...something with such sure-fire pull and lure that it demands preferred time, longer time, in your most optimistic expectations of what a REAL HIT can do!

GENE TOWNE
presents
A THE PLAY'S THE THING Production

WITH
THOMAS MITCHELL · EDNA BEST
FREDDIE BARTHOLOMEW
TERRY KILBURN · TIM HOLT
BABY BOBBY QUILLAN
DIRECTED BY EDWARD LUDWIG
PRODUCED BY
GENE TOWNE *and* GRAHAM BAKER
SCREEN PLAY BY WALTER FERRIS.

DISTRIBUTED BY
RKO RADIO PICTURES

Theatre and Personnel Notes

Whitney in Denver Post

DENVER, Jan. 28.—Gerald Whitney, c[illegible] manager for Fox at La Junta, [illegible] been moved to Denver where he will manage the Jewel and Gothic for Atlas theatres. The present managers of the houses, Ed Ward and Ralph Hamilton, will remain as assistants to Whitney.

Elwood Voorhees, city manager for Fox at McCook, Neb., has been sent to the La Junta job, and Ray Search, assistant at McCook, was promted to city manager.

Stiefel Plans New House

PHILADELPHIA, Jan. 28.—Sam Stiefel, who operates Fays, here, plans another house just a half block away from his Roxy in the Roxborough section.

Tear Down Frisco House

SAN FRANCISCO, Jan. 28.—Historic old Alcazar Theatre, recently purchased by Murphy Herschberg, will be torn down to make room for a downtown parking lot.

Plan California Theatre

SAN MATEO, Cal., Jan. 28.—New $100,000 theatre will be built this Spring on property recently purchased from the old DeLaveaga estate, between this community and Burlingame.

Plans to Rebuild Houses

KANSAS CITY, Jan. 28.—C. B. McAleer is planning to rebuild the Orpheum at Parsons, Kan., destroyed by fire early this month.

Ferri Goes South For 'Old New York'

Roger Ferri, editor of the *Dynamo*, 20th Century-Fox house organ, left Friday night for Miami in connection with the world premiere of "Little Old New York" at the Lincoln Theatre Wednesday night. He will publish a special edition of *Dynamo* there. Christy Wilbert of Charles E. McCarthy's staff is in Miami preparing for the opening.

Delaware Outlaws Bingo as Lottery

WILMINGTON, Del., Jan. 28.—Bingo was outlawed as a lottery and will be regarded as a violation in Delaware corresponding to sale of lottery tickets, in a ruling handed down by the Attorney-General's office.

An order of Atty-Gen. James R. Morford of Wilmington compels all policemen in Wilmington to warn operators of the games that it is illegal.

3 Companies Formed

ALBANY, Jan. 28.—Incorporated here have been East Coast Animation Co., Inc., by Byron Rabbitt, Jack Rubin and Sam Morganstern, New York; Justine Theatres Corp., Bronx, bv David L. Minkoff, Paul P. Weiss and Andrew Kreiss, and Bergere Pictures Corp., by Charles Ettinger, Miriam Tobias and Pauline Scharf, New York.

Radio Fund Appeals To Help Save Opera

Radio came to the aid of the campaign to save the Metropolitan Opera on Saturday when David Sarnoff, RCA president and chairman of the board at NBC, made the initial address during the broadcast of "Lohengrin."

Sarnoff told the radio audience the opera had been broadcast for nine years without appeals for funds and stated that the Met now needs aid.

Direct appeals for funds on sustaining programs on the network are rarely made, except during the March of Dimes campaign and similar drives. CBS has raised considerable funds for the New York Philharmonic orchestra by direct appeals to the radio audience.

Opera officials contemplate remodeling of the Opera House, including air-conditioning and improved seating. It is planned to make the Opera House a year-around civic center.

Indianapolis Case Dismissal Ordered

Order for dismissal of the Indianapolis Amusement Co. anti-trust suit against major distributors will be entered in Federal District court at Indianapolis within the next few days, thus bringing the long pending action to an end without a trial.

An agreement on a settlement of the case was reached by parties in interest last week. Settlement involves payment to the plaintiff, Rorie R. Bair.

Bair operates a small circuit in Indianapolis. The action was brought in 1931 and involved complaints arising out of the old arbitration clauses, now outlawed.

Zanuck, Markey Returning to Coast

Darryl F. Zanuck, 20th Century-Fox production chief, left Saturday for the Coast with Mrs. Zanuck, Gene Markey and Hedy Lamarr, after a week in New York. They arrive at the studio tomorrow.

Joseph M. Schenck, board chairman, who arrived with Zanuck, also left for the Coast Saturday.

In addition to attending openings of "The Blue Bird" and "The Grapes of Wrath," Zanuck conferred with company officials on the 1940-'41 production program. Zanuck plans a vacation in Sun Valley beginning early in March and may come to New York during that month to complete program details.

Production for 1940-'41 will start in March. Last of the current season's major films to go before the cameras will be "Maryland," in color.

Taplinger to Studio

Bob Taplinger, Warners studio publicity head, left for the Coast yesterday by plane after conferring with S. Charles Einfeld, advertising and publicity director, on forthcoming campaigns. Taplinger accompanied to New York a group of Hollywood newspaper men who covered the 165th Regiment dinner at which "The Fighting 69th" was shown. The writers left Saturday, accompanied by Blake McVeigh, of the studio publicity staff.

Hays Finds Answer On Dual Features

Will H. Hays thinks double features "are terrible" but he "can't do anything about them," he told an audience at the New Rochelle Presbyterian Men's Club recently.

"Is there a single person here who likes them?" he asked his audience.

"I do," confessed one young lady. "I guess it's because you get more for your money."

"That must be the answer to why we have them," Hays observed.

Eight Shows Today For "69th" at Strand

Warners' "The Fighting 69th," having broken the opening day record at the Strand on Broadway Friday, today will be given eight showings at the theatre, two more than usual. Also, this is the first time for the Strand to have six stage shows on a Monday. The show features Paul Whiteman. The theatre will open at 8:15 A. M.

The same schedule was maintained Saturday, with seven showings of the film and five stage shows Sunday.

Backed by a big campaign, the film at the opening drew a line of 2,000 persons before the doors opened at 8:30 A. M. By 10 A. M. a line estimated at 3,000 was outside the 2,800-seat house, despite the cold weather.

Boycott Theatres In Mexican Fight

By JAMES LOCKHART

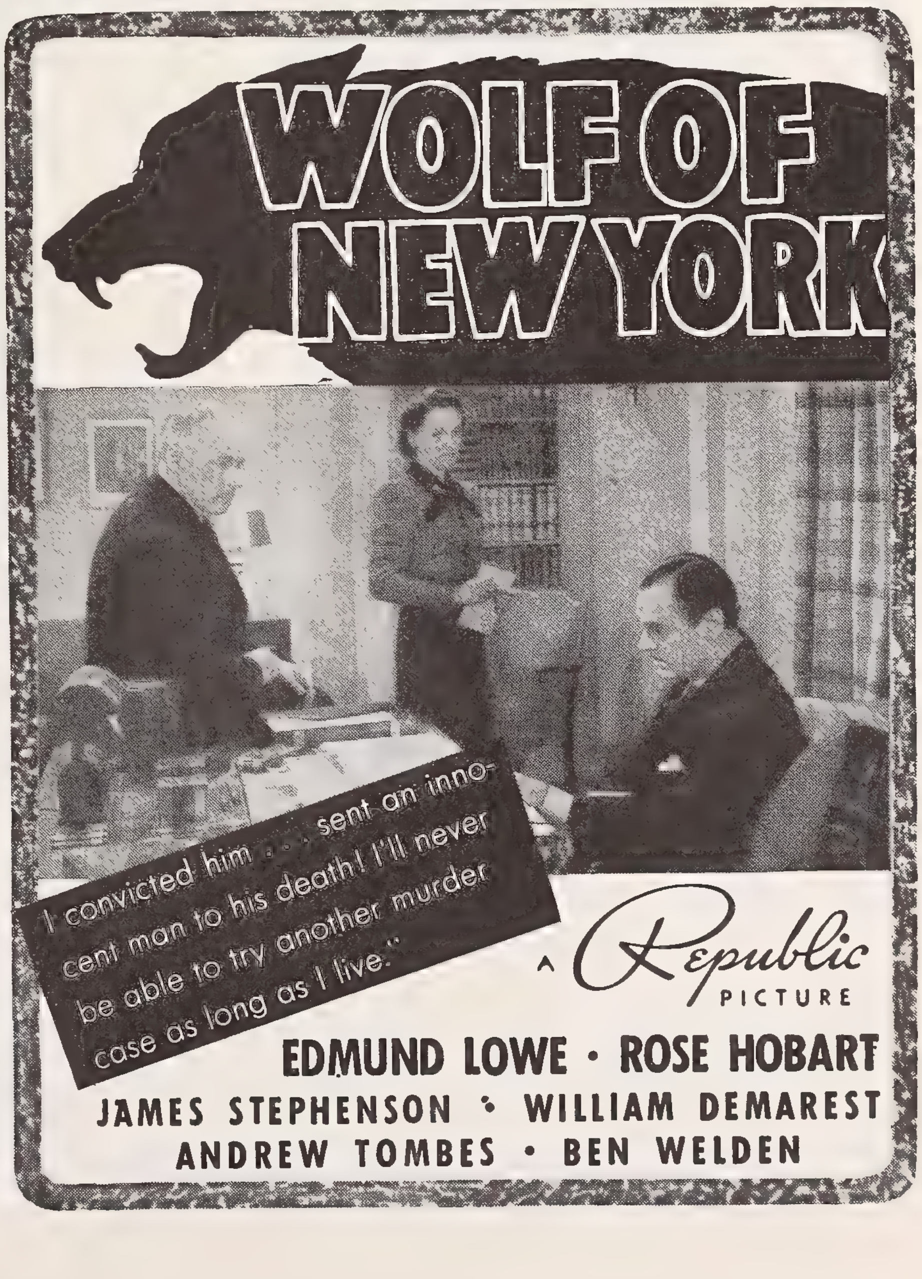
MEXICO CITY, Jan. 28.—A boycott which prevents them receiving pictures has been declared against exhibitors in Morelos and Zacatecas states by the National Cinematographic and Allied Workers' Union which took this action to force the exhibitors to change their mind about reducing personnel.

The union asserts that such dismissals of workers is unjustified. The exhibitors aver that depressed business conditions make such action necessary. Exhibitors have appealed to State and Federal officials to break the boycott.

Cosmos Films, producing company organized by Miguel Contreras Torres, who has worked in Hollywood, and Armando Vargas de la Maza, newspaperman-director, has started making the first of four films.

Lupe Velez, not Dolores del Rio, is to play the lead in a new version of "Santa" ("Saintess"), famous Mexican novel which was the basis for the first talking film made in this country in 1930 by Antonio Moreno.

The best box-office grossers among native Mexican pictures of 1939 in Mexico were: "Caballo a Caballo" ("Horse to Horse"), which grossed $25,000 in five weeks; "Los Enredos de Papa" ("Papa's Intrigues"), $20,000 in five weeks and "La Tia de las Muchachas" ("The Girls' Aunt"), $24,100 in 10 months.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Most of British Film Laws Will Remain, Belief

Retention of Quota Seen; Council Acts Today

LONDON, Jan. 29.—The bulk of the existing British film legislation, including the quota stipulations, is expected to be retained during the war.

Strong sentiment for retention of the quota provisions is understood to exist in the Films Council, which tomorrow will consider details of proposed new legislation.

Establishment of a Government-sponsored Film Credit Bank to complement rather than displace the quota is believed a probable development.

It is also considered a likelihood that the Government will enact a plan by Oliver Stanley, former president of the British Board of Trade, for a quota based on expenditure, and not footage as now exists.

Cohn Heads Film Aid for Hospital

Jack Cohn, vice-president of Columbia, has been appointed chairman of the Motion Pictures and Entertainment Division for a dinner at the Astor Feb. 25 in honor of Paul Felix Warburg and for the benefit of the National Jewish Hospital, Denver.

Cohn has named a committee to assist him, as follow: George J. Schaefer, David Bernstein, Leo Brecher, Jules E. Brulatour, Eddie Cantor, Donald Flamm, Will H. Hays, Marcus Heiman, Alfred J. McCosker, B. S. Moss, Paul Moss, William S. Paley, Martin Quigley, Walter Reade, Saul E. Rogers and Alex Yokel.

Vice-chairman of the dinner will be Louis Nizer. The affair will commemorate the 40th anniversary of the hospital, an interfaith institution which has provided free medical care for more than 25,000 poor persons suffering from tuberculosis.

Neely Foes, Friends Press Their Drives

Speakers, pamphlets and letters to Congressmen constitute the campaign of opponents and proponents of the Neely bill which is pending in the House.

About 50,000 copies of a pamphlet titled "Do You Want Them to Kill the Movies?" have been circulated by Ampa through distribution branches,

(*Continued on page* 6)

Evidence Completed On 178th Trial Day

Boston, Jan. 29.—Evidence was completed today in the Masters' hearing of the Morse and Rothenberg anti-trust suit against the major film companies. The hearing will reopen late in March when both sides will argue the case. Today was the 178th day of the hearing.

'Wrath' and '69th' Join Broadway Hits

Aided by top notch advertising and publicity campaigns, "The Grapes of Wrath" and "The Fighting 69th" were added to the list of Broadway smash hits during the past week.

First run business continued at a high level over the weekend with top grosses being recorded despite the wintry blasts. The weather, although cold and windy, was clear and bright.

"The Blue Bird" did near capacity business on a two-a-day basis at the Hollywood, "The Shop Around the Corner" opened strong at the Music Hall, while "Gone With the Wind" continued its pace at the Astor and the Capitol.

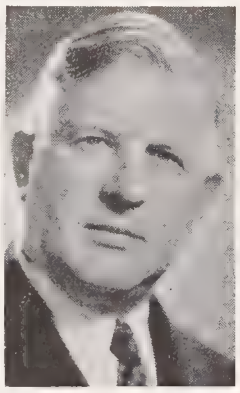
At the Roxy, "Brother Rat and a Baby" with a stage show, should draw an estimated $34,000 for the first week. "Remember the Night," with Bob Chester's band on the stage, drew an estimated $18,000 over the weekend and should finish its second stanza at the Paramount tonight with an estimated $35,000. It will be held for a third week.

With Paul Whiteman's band on the

(*Continued on page* 2)

Industry Leaders At Judging Today Of Quigley Awards

Herman Wobber, general sales manager of 20th Century-Fox; Louis W. Schine, vice-president of Schine Theatres, and Alex Manta, president of Indian - Illinois Theatres, will head the list of speakers at the Quigley Awards luncheon at the Hotel Astor today.



Herman Wobber

The luncheon will follow the judging of the entries in the sixth annual Quigley Grand Awards competition, Martin Quigley, as toastmaster, also will introduce A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald*, under whose supervision the award competition is conducted.

More than 45 home office and out-of-town executives have accepted invitations to act as contest judges.

Among the executives who will be

(*Continued on page* 6)

"Pinocchio"

(Walt Disney-RKO)

HOLLYWOOD, Jan. 29.—Walt Disney has done it again. The creator of the first cartoon feature and his staff held a press audience completely enthralled this afternoon in Hollywood as their second effort was unfolded on the screen for what seemed to those present a far too short 85 minutes.

The all-pervasive type of Disney magic has never been more evident than in this fable of the wooden marionette who comes to life, is led astray, finally proves his bravery and unselfishness and is rewarded by being made a real little boy. Nor is Pinocchio himself the only essential figure, with Figaro, the kitten; Cleo, the goldfish, and Jiminy Cricket, the puppet's conscience, all pressing the wooden protagonist for screen honors in a manner reminiscent of the scene-stealing activities of "Dopey," "Sneezy" and "Grumpy" of the Seven Dwarfs.

The characters, the essential charm and imagination of the story, the superb animation and color, the music, both thematic and background, all

(*Continued on page* 7)

FORMULA DRAFTED FOR REMITTANCES

Seven Majors Approve Division of $17,500,000 Allowed by Britain

Major companies evolved in New York yesterday the formula determining what amount of $17,500,000, approved by the British government as exportable revenue, each will share.

This formula, which covers only rentals for Americanmade films distributed in Britain, will be transmitted immediately to London for the approval of the Government. With such official sanction, the companies will be permitted to remove the cash to the United States.

British-made pictures distributed by the American firms do not figure in this formula. A company such as United Artists, which distributes a number of British-made pictures besides American-made films in England, might otherwise have shared to a much greater degree.

The amount to be withdrawn by each company is known only to that company, and some of them have not yet been notified, according to inquiry.

The $17,500,000 represents one-third of the approximately $50,000,000 annual gross income of the American companies in Britain, and about 50 per cent of the net rentals. Universal is not a party to the formula because its films are handled by a British company on a special basis.

The formula of withdrawal is based

(*Continued on page* 8)

Warners' Chicago Meeting Saturday

Warners' annual mid-season sales conference will be held Saturday and Sunday at the Blackstone Hotel, Chicago, with Gradwell L. Sears, general sales manager, presiding. About 60 will attend, including home office executives, district managers, branch heads and the field exploitation staff.

A review of sales progress to date and merchandising plans for current and forthcoming product will feature the discussions.

The home office contingent will leave Friday for Chicago. It will include, in addition to Sears, S. Charles Einfeld, director of advertising and publicity; Carl Leserman, assistant general sales manager; Mort Blumenstock, Eastern publicity and advertising manager; Roy Haines, Eastern

(*Continued on page* 2)

Warners' Chicago Meeting Saturday

(*Continued from page* 1)

and Canadian sales manager; Ben Kalmenson, Southern and Western sales manager; Arthur Sachson, sales executive; Norman Moray, Vitaphone shorts sales manager, and Mitchell Rawson.

District managers who will attend include Edward Schnitzer, New York, Eastern; Robert Smeltzer, Washington, Central; Rud Lohrenz, Chicago, Midwest; James Winn, Kansas City, Prairie; Fred M. Jack, Dallas, Southern; Henry Herbel, Los Angeles, West Coast, and Wolfe Cohen, Toronto, Canadian district head.

The following branch managers will be present: Sam Lefkowitz, New York; Paul S. Krumenacker, Albany; N. J. Ayers, Boston; Charles Rich, Buffalo; John R. Mahan, New Haven; Ralph Kinsler, Cincinnati; T. L. Mendelssohn, Cleveland; F. E. North, Detroit; W. G. Mansell, Philadelphia; Harry Seed, Pittsburgh; F. W. Beiersdorf, Washington; T. R. Gilliam, Chicago; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukee, C. K. Olson, Minneapolis.

A. W. Anderson, Des Moines; Homer Hisey, Memphis; W. O. Williamson, Jr., Kansas City; Sid Rose, Omaha; Hall Walsh, St. Louis; R. L. McCoy, Atlanta; John A. Bachman, Charlotte; Doak Roberts, Dallas; L. Conner, New Orleans; J. O. Rohde, Oklahoma City; E. A. Bell, Denver; W. E. Callaway, Los Angeles; V. Stewart, Portland; William F. Gordon, Salt Lake City; Al Shmitken, San Francisco; William Shartin, Seattle.

The Canadian delegation, in addition to District Manager Cohen, will include Sam Pearlman, Calgary; M. J. Isman, Montreal; L. McKenzie, Saint John; Joseph Plottel, Toronto; I. Coval, Vancouver, and Lou Geller, Winnipeg.

Exploitation men attending will be Sam Clark, Chicago; Cameron Shipp, Atlanta; Dick Hyland, Dallas; Monroe Rubinger, Kansas City; Phil Engel, New York, and Martin Weiser, Los Angeles.

Managers at Banquet

MIAMI, Jan. 29.—As a climax to a 10-week course given to ushers and assistant managers of Wometco Theatres, Mitchell Wolfson and Sidney Meyer entertained more than 70 employes of their circuit at a banquet.

Handles 'Town' Campaign

Calkins & Holden advertising agency will handle the Sol Lesser advertising on the latter's film, "Our Town."

MITCHELL MAY, Jr.
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•

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in requirements of the
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Purely Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, plans to leave for a Florida vacation shortly after BARNEY BALABAN returns to New York from there toward the end of February.

•

MICKEY ROONEY will come here tomorrow from Washington, where he will attend the President's Birthday Celebration this evening. From here he will travel to Port Huron, Mich., for the opening of "Young Tom Edison" on Feb. 11.

•

BERNIE KRANZE, RKO Albany branch manager, has returned from Florida. Another Albany film row figure, ELMER SICHEL, 20th Century-Fox short subject booker, has returned from Miami Beach.

•

FRANK O'BYRNE, manager of Associated Screen News, Ltd., Toronto, has been appointed to the Canadian Legion War Services Committee which has undertaken to raise $500,000 for soldiers' comforts.

•

FRANCHOT TONE, FRANCES FARMER and PHIL REAGAN will attend Philadelphia's celebration of the President's Birthday Ball at Convention Hall today.

•

MRS. EMMA BOEGLI, mother-in-law of RALPH KINSLER, Cincinnati Warner exchange manager, is in Deaconess Hospital, suffering from a heart attack.

•

ESTHER BIEN, wife of the owner of Theatre Poster Supply Co., Cincinnati, is in the Jewish Hospital, where she underwent an operation.

•

EDWARD G. RUFF, manager of Paramount's New Haven exchange, leaves Feb. 7 on the *Oriente* for a Havana vacation.

•

LOUIS R. GOLDING, Fabian district manager at Albany, leaves Feb. 7 for a short vacation in Havana.

•

JOSEPH SHULMAN, Connecticut exhibitor, and MRS. SHULMAN are vacationing in Miami.

•

MADELEINE CARROLL has arrived here prior to sailing for Europe next Saturday.

•

BRIAN AHERNE arrived from Hollywood by plane yesterday for a four-week visit.

•

BOB WOLFF, RKO branch manager, returned yesterday from Florida.

•

HERMAN GLUCKMAN, Republic franchise holder, is in Miami.

•

BRIAN AHERNE arrived in town from the Coast yesterday.

•

SI SEADLER is at the B-Bar-H Ranch at Garnet, Cal.

•

ALEC MOSS of Paramount is at Miami Beach.

•

MARTIN QUIGLEY, B. S. MOSS, HOWARD DIETZ, STANTON GRIFFIS, MRS. HOWARD DIETZ, SAM SHAIN and CHARLES MOSS at Moore's for lunch yesterday.

•

MOE ROSE, New York booker for M-G-M; SUZANNE ARMAND, secretary to BEN ABNER; LOU ALLERHAND, New Jersey salesman for M-G-M, and MRS. ALLERHAND leave Friday for a two-week vacation in the South.

•

SAM DEMBOW, LEON NETTER, ROBERT WEITMAN, Y. FRANK FREEMAN, ARTHUR LOEW, MORT SPRING, NAT KARSON, BROCK PEMBERTON, JOHN D. HERTZ, JR., and SIDNEY KINGSLEY lunching at Sardi's yesterday.

•

CHARLES CASANAVE, CHARLES E. MCCARTHY, ERNO RAPEE, OWEN DAVIS, TOBY GRUEN, DAVE WEINSTOCK, WILLIAM BRANDT and HENRY HULL at Nick's Hunting Room in the Astor for lunch yesterday.

•

VINCENT MCFAUL, Buffalo, and Julius Gordon of Gordon & Clemmons Circuit, Beaumont, Texas, are in town for Paramount home office conferences..

•

WILLIAM WHITE, general manager of Skouras Theatres, and JOHN BENAS, film buyer, are making a survey of Long Island theatres.

•

JOHN GRIERSON, Canadian film commissioner, arrived in Hollywood yesterday from Toronto. He sails for Australia Wednesday.

•

CLIFF LEWIS, Paramount studio advertising and publicity director, returns to the Coast today after a two-week stay here.

•

Y. FRANK FREEMAN, Paramount studio head, left for the Coast by train last night after a week of home office conferences.

•

HARRY GOLDGRABEN, office manager at M-G-M's New York exchange, returned from a Florida vacation yesterday.

•

MR. AND MRS. H. M. RICHEY were in Washington over the weekend to visit W. A. (AL) STEFFES, who is ill there.

•

ARTHUR ISRAEL of Paramount will leave by car for Charleston, S. C., tomorrow for a brief vacation.

•

JACK L. WARNER, vice-president of Warners, leaves for the Coast Sunday with MRS. WARNER.

•

LOUIS WISPER of the Wisper & Wetman circuit, Detroit, has been here on business.

•

MILTON ELELMAN of National Screen Service leaves Friday for a week's vacation.

•

JAY PALEY has returned to the Coast.

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New and exclusive pictures
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'Wrath' and '69th' Join Broadway Hits

(*Continued from page* 1)

stage, "The Fighting 69th" garnered an estimated $31,000 for Friday, Saturday and Sunday at the Strand with a first week gross well above $50,000 indicated. At the Rivoli, the first week of "Grapes of Wrath," which ends tonight, should bring an estimated $60,000. "The Blue Bird" grossed an estimated $11,000 at the Hollywood and drew an estimated $4,800 over the weekend.

At the Music Hall, "The Shop Around the Corner," with a stage show, should attract an estimated $85,000 in its first week. In its sixth week at both houses, "Gone With the Wind" drew an estimated $75,000 at the Capitol and an estimated $22,000 at the Astor.

"The Lion Has Wings" drew an estimated $8,500 in its initial week at the Globe and is held over. At the Rialto, "Green Hell" opened yesterday after a second week for "The Invisible Man Returns" which drew an estimated $8,500.

Mayer Will Attend 'Edison' Premiere

Louis B. Mayer, M-G-M production chief, and Howard Strickling, studio publicity director, are scheduled to attend the world premiere of "Young Tom Edison" at Port Huron, Mich., Feb. 11.

Mayer arrived yesterday in Miami Beach for conferences with Nicholas M. Schenck, M-G-M president. He will return to New York before proceeding West.

Barret Kiesling of the studio publicity department is in Port Huron preparing for the premiere of the Edison film. Howard Dietz, advertising and publicity director, also plans to attend.

K. C. Club Party Feb. 8

KANSAS CITY, Jan. 29.—A floor show and dance will feature the annual inaugural ceremonies of Variety Club's new officers at the Hotel Muehlebach here Feb. 8. Assisting Jerry Zigmond on the general committee are James McConnell, Barney Joffee, Don Woods and Douglas Desch. Ticket sales are being handled by Desch, Woods, Sam Abend, Charles Shafer, Leon Abraham, Lee Jones and Roy Miller.

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JIMMIE FIDLER

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"**FOR THE SAME REASON YOU WENT TO SEE *SNOW WHITE*, YOU MUST GO TO SEE *THE BLUE BIRD*.** If I had to describe this film in a few words, I'd say it's another *Snow White* with human characters. It's simon-pure entertainment, sentimental, humorous, beautiful —filled with charm and emotion."

Maurice Maeterlinck's

THE BLUE BIRD

in TECHNICOLOR

HAILED BY SHOWMEN AND PUBLIC, PRESS AND RADIO, AT ITS BRILLIANT N. Y. WORLD PREMIERE . . . ITS FAME NOW SPREADS AS TWO MORE ROAD-SHOW OPENINGS THIS WEEK* EXCITE THE NATION'S ATTENTION!

**St. Francis Theatre, San Francisco, Feb. 1—Adams Theatre, Detroit, Feb. 2*

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Sale of GN Assets At 28 Exchanges Ordered by Olney

Sale of all remaining assets of Grand National Pictures located in 28 exchanges throughout the country was ordered yesterday by Referee Peter B. Olney, Jr. Under court directions a public auction will be held by the trustee within the next few days.

Earle W. Hammons, former head of GN, clashed with Joseph Dannenberg, attorney for the trustee, over the valuation of Educational Pictures' assets assigned to GN in return for stock, during an examination of Hammons yesterday.

A large number of films estimated at a nominal value on Educational's books were of real value when transferred to GN, Hammons claimed. Dannenberg, however, sought to prove that all assets assigned to GN totalled $55,389 in value at the time of GN's organization.

Testimony of Hammons also covered financial deals between GN and Skibo Productions, Inc., and the payment by the former of $42,000 to the latter on a debt owed originally by Educational which GN had assumed. Hammons will continue to testify today.

'Brother' at $5,500 New Haven Leader

New Haven, Jan. 29.—"Brother Rat and a Baby" and "Mill on the Floss" grossed $5,500 at the Roger Sherman. "Charlie McCarthy, Detective" and "All Women Have Secrets" took $4,500 at the Paramount.

Estimated takings for the week ending Jan. 27:

"Hunchback of Notre Dame" (RKO)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $2,700)
"Everything Happens at Night" (20th-Fox)
"Remember" (M-G-M)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $8,000. (Average, $8,000)
"Charlie McCarthy, Detective" (Univ.)
"All Women Have Secrets" (Para.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $4,500. (Average, $4,000)
"Brother Rat and a Baby" (W. B.)
"Mill on the Floss" (Stand.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $5,500. (Average, $5,000)

'Swanee' at $8,200 Leads in Montreal

Montreal, Jan. 29. — "Swanee River" earned $8,200 at the Palace. "The Roaring Twenties" at the Capitol took $7,300.

Estimated takings for the week ending Jan. 26:

"The Roaring Twenties" (W. B.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $7,300. (Average, $8,000)
"Balalaika" (M-G-M)
LOEW'S—(2,800) (30c-40c-650c) 7 days, 3rd week. Gross: $5,000. (Average, $8,000)
"Raffles" (U. A.)
"Escape to Paradise" (RKO)
ORPHEUM—(919) (25c-35c-50c) 7 days, 3rd week. Gross: $1,500. (Average, $5,000)
"Swanee River" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,200. (Average, $10,000)
"The Amazing Mr. Williams" (Col.)
"Blind Alley" (Col.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,200. (Average, $5,500)

Goddard and McCrea

Hollywood, Jan. 29.—Paulette Goddard was assigned today to co-star with Gary Cooper, Madeleine Carroll and Joel McCrea in Paramount-DeMille's "Northwest Mounted Police."

New York Reviews

"Village Barn Dance"

(*Republic*)

Featuring popular radio entertainers, this is a merry melange of slapstick comedy and harmonious melody comprising a show that probably will score best in the smaller situations. In many respects the film is reminiscent of the bygone days of the screen when action spoke louder than words.

Audiences that don't take the plot too seriously will have a lot of fun hissing the villain. Best performances are turned in by George Barbier as the operator of the Lyndale ice cream emporium and Esther Dale, a skinflint with a heart of gold who just about runs everything in the town.

Richard Cromwell, just out of college, arrives in Lyndale and becomes involved in the plot when he falls in love with the girl who holds the fate to the town's future. She decides to marry Cromwell's rival to protect the property of the town's merchants, when Barbier saves the day by muscling in on a national radio network with Lyndale's "Village Barn Dance" program. This and a Keystone-cop-like chase on a fire wagon are the comedy highlights.

Radio entertainers are Lulubelle and Scotty, Barbara Jo Allen (Vera Vague), Don Wilson, The Kidoodlers, Texas Wanderers, Helen Troy and Frank Cook. Others in the cast are Doris Day, Robert Baldwin and Andrew Tombes. Armand Schaefer was associate producer and Frank McDonald director. Dorrell and Stuart McGowan wrote the story.

Running time, 69 minutes. "G."* ALFRED FINESTONE

"Chasing Trouble"

(*Monogram*)

Graphology and match-making are mixed with a good spy story to make "Chasing Trouble" entertaining film fare. Frankie Darro heads the cast in the role of a messenger boy who is studying graphology during spare hours and arranging romances on the side.

Frankie's troubles begin when he discovers that the second volume he studies contradicts the rules found in the first book. As a messenger boy for a florist, he runs into a spy ring headed by Alex Callam. The spy leader decides to use Frankie. Milburn Stone, as a reporter on the trail of a murder, tries to dissuade Frankie but is unsuccessful.

When the second book on graphology arrives, Frankie discovers his mistake and exposes the ring. He also decides that Stone would make a better husband for Marjorie Reynolds than would Callam, to whom he has introduced her.

Howard Bretherton, who directed, keeps the story moving throughout. Scott R. Dunlap produced.

Running time, 64 minutes. "G."* EDWARD GREIF

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*"G" denotes general classification.

Harrison Is Named Harris Treasurer

Pittsburgh, Jan. 29.—George S. Harrison will become treasurer of the Harris Amusement Co. May 1, following a three-month vacation in Florida. His appointment by John H. Harris, follows 37 years of service with the Harris company, begun in 1903 with the late Senator John P. Harris.

Retiring as auditor, Harrison will be honored at a dinner of Harris executives and employes Feb. 1. George Eby, formerly of Main and Co., will succeed Harrison as auditor.

Extend Tax Suit Time

Columbus, Jan. 24.—Attorneys for the plaintiff in the suit of John V. Bostwick, a taxpayer, against the Ohio Tax Commission, challenging its authority to exempt film rentals from the sales tax, and seeking to enforce collection of the impost from the inception of the tax law, have been granted a 15-day extension for filing answers.

Philadelphia House Assessments Drop

Philadelphia, Jan. 29.—Real estate assessments for the 10 key houses in the central city zone operated by the Warners will be $194,702 less than 1939 figures, according to Frank J. Benham, president of the Board of Revision of Texas. The houses, Aldine, Boyd, Earle, Fox, Karlton, Keith's, Mastbaum (dark), Palace, Stanton and Stanley, were assessed at $10,155,198 as compared to $10,349,900 for 1939. Largest factor in the cut was a 1½ per cent slash for depreciation.

All but the Aldine, Boyd and Karlton were cut, the largest slash being $57,792 for the Fox, from $1,624,000 to $1,566,208; with the lowest of $600 for the Stanton, from $313,200 to $312,600. The board's evaluation for the other houses are: Aldine, $593,000; Boyd, $656,000; Earle, $2,639,000; Karlton, $1,003,000; Keith's, $583,500; Mastbaum, $1,342,090; Palace, $705,600; and Stanley, $753,600.

Studios Now Have 27 New Films in Work

Hollywood, Jan. 29.—Twenty-seven pictures were before the cameras this week, as eight started and six [illegible]ished. Sixteen are being prep[illegible]ed, and 66 are being edited.

The tally by studios:

COLUMBIA — Finished: "Men Without Souls."
In Work: "Too Many Husbands," "The Doctor Takes a Wife."
GOLDWYN—Finished: "The Westerner."
M-G-M—In Work: "40 Little Mothers," "Two Girls on Broadway," "Edison, the Man," "Hooray I'm Alive," an untitled Dr. Kildare.
Started: "Waterloo Bridge."
MONOGRAM—Finished: "Rhythm on the Rio Grande."
Started: "Cheyenne Kid."
PARAMOUNT—Finished: "Down Went McGinty," "The Woman from Hell."
Started: "Destiny."
PRINCIPAL—Started: "Our Town."
RKO—In Work: "My Favorite Wife."
Started: "Curtain Call."
REPUBLIC—Started: "Pioneers of the West."
20TH CENTURY-FOX—In Work: "I Was an Adventuress," "Viva Cisco Kid," "Sailor's Lady," "Earthbound," "Twinkle, Twinkle, Little Star."
Started: "Lillian Russell."
UNIVERSAL—Finished: "Black Friday."
In Work: "It's a Date," "The House of Seven Gables," "Enemy Agent."
Started: "Alias the Deacon."
WARNERS—In Work: "We Shall Meet Again," "Saturday's Children," "Three Cheers for the Irish."

Majors Win Delay In $2,595,000 Action

Boston, Jan. 29.—Eight major companies, accused of violating anti-trust laws, and defendants in a suit for $2,595,000 by seven theatre corporations from Massachusetts to Florida, were granted an extension of time today. They now have until Feb. 10 to file an answer.

The major companies include 20th Century-Fox; Loew's, Inc.; Vitagraph, Inc.; Paramount Pictures Distributing Co.; United Artists Corp.; Universal Film Exchanges, Inc.; RKO Radio Pictures, Inc.; and Columbia Pictures, Inc.

Plaintiffs in the suit are Loew's Drive-in-Theatre, Providence, R. I; Lynn Open Air Theatre, Inc., Lynn, Mass.; Winchester Theatre Co., Winchester, Mass.; E. M. Loew's, Inc., operating Winchester Theatre under lease; Miami Drive-in-Theatre, Dade County, Florida; Gov. Ritchie Theatre, Inc., Glen Burnie, Md.; and the Mt. Vernon Theatre Corp., Alexandria, Va.

Lanfield Returning

Sidney Lanfield, 20th Century-Fox director, leaves for the Coast tonight with Ralph Dietrich, cameraman, and others of a crew who have been shooting background scenes with Carmen Miranda for "The South American Way." The work was done at the Movietone studio on 54th St.

Pavone to Universal

New Haven, Jan. 29.—John Pavone, resigned from Warners here after almost 17 years in this territory, has been appointed Universal exchange salesman. Pavone had a short association with Universal as salesman in 1925, and has been on Film Row here almost 25 years.

'Shop' Draws Frisco Lead With $14,000

SAN FRANCISCO, Jan. 29.—"Shop Around the Corner," paired with "City of Chance" for $14,000 at the Fox. "Geronimo" and "Night of Nights" drew $11,500 at the Paramount.

Estimated takings for the week ending Jan. 23-26:

"Reno" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $13,000. (Average, $15,000)

"Destry Rides Again" (Univ.)
"The Amazing Mr. Williams" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 4th week. Gross: $7,800. (Average, $8,000)

"The Shop Around the Corner" (M-G-M)
"City of Chance" (20th-Fox)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $14,000. (Average, $16,000)

"Geronimo" (Para.)
"The Night of Nights" (Para.)
PARAMOUNT — (2,740) (15c-30c-35c-40c) 7 days. Gross: $11,500. (Average, $11,500)

"Slightly Honorable" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $7,200. (Average, $8,000)

"Invisible Stripes" (W. B.)
"Private Detective" (W. B.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)

"The Return of Mr. X" (W. B.)
"Everything's on Ice" (RKO)
WARFIELD — (2,680) (15c-30c-35c-40c) days. Gross: $11,000. (Average, $12,000)

"Wuthering Heights" (U. A.)
CLAY—(400) (15c-35c-40c) 7 days, 2nd week. Gross: $900. (Average, $1,000)

"Ireland's Border Line" (Alexander)
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $800. (Average, $1,000)

'Mice' Kansas City Leader at $10,800

KANSAS CITY, Jan. 29.—Despite bitterly cold weather and outside competition, "Of Mice and Men" and "Secret of Dr. Kildare" gave the Midland $10,800.

Estimated takings for the week ending Jan. 23-25:

"He Married His Wife" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $1,800. (Average, $2,500)

"Of Mice and Men" (U. A.)
"Secret of Dr. Kildare" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $10,800. (Average, $9,500)

"The Great Victor Herbert" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $7,000)

"Four Wives" (W. B.)
"Flying Deuces" (RKO)
ORPHEUM—(1,500) (25c-40c) 10 days, 2nd week. Gross: $5,800. (Average, 10 days, $7,000)

"Oh Johnny How You Can Love" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: 3 Ryans, Grace Drysdale, Large & Morgner. Gross: $4,100. (Average, $5,000)

"He Married His Wife" (20th-Fox)
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $2,600. (Average, $3,500)

Sol Pincus Dies

SAN FRANCISCO, Jan. 29.—Sol Pincus, 63, long in the theatrical business here, and brother of Ralph Pincus, Geary manager, died after a brief illness. For years he was publicity representative of the city's major stage productions and roadshows.

Mascot Reissues Set

HOLLYWOOD, Jan. 29.—Mascot Pictures Co. is reissuing a number of features and serials in the state rights market. Release has already been set through exchanges in a dozen territories. The films were produced by Nat Levine some years ago.

Hollywood Reviews

"I Take This Woman"
(M-G-M)

HOLLYWOOD, Jan. 29.—With Spencer Tracy, Number Three box-office personality in Quigley Publications' 1939 exhibitor poll, and Hedy LaMarr, "I Take This Woman" would have to be an extremely bad picture to keep the customers away in large numbers. It isn't.

And it has, in addition to these names, W. S. Van Dyke II for exploitation mention as director and Charles MacArthur as author, James Kevin McGuinness taking credit for the screenplay. Veree Teasdale, Kent Taylor, Laraine Day, Mona Barrie, Jack Carson and Paul Cavanaugh are among the players seen in support.

Tracy is seen in the picture as an earnest physician, beloved by dwellers in a tenement district where he has charge of a clinic, who prevents a beautiful creature from committing suicide, marries her later while knowing she still believes herself in love with another man, joins the staff of a swank hospital by way of earning big money to buy his wife nice things and then rebels against the loose ethics prevalent therein, and returns to his clinic.

Miss LaMarr is seen as the would-be suicide whom the doctor saves and who has a hard time making up her mind whether she really loves him or the other man but finally decides on him. It's not quite so simple as that, actually breaking up into two stories tied together only by overlapping personnel, but it boils down to the foregoing for practical purposes.

Reaction to the film at its Hollywood preview was mixed. That may have been because it was shown on a Friday night in a house mainly patronized by students of U. C. L. A., who are a bit callous to this sort of story and more than a bit demonstrative.

Running time, 95 minutes. "G."* ROSCOE WILLIAMS

"Young as You Feel"
(20th Century-Fox)

HOLLYWOOD, Jan. 29.—More than adequate material is provided the "Jones Family" in this version of their affairs and escapades, similar in plot to the Will Rogers picture, "Handy Andy," made in 1935. Based on the characters created by Katherine Kavanaugh, and on the play "Merry Andrew" by Lewis Beach, the screenplay by Joseph Hoffman and Stanley Rauh is well tailored to meet the particular talents of the regular participants in this series from the Sol Wurtzel side of the studio.

As usual, Jed Prouty and Spring Byington play the parts of John Jones and his wife, with Florence Roberts as "Granny" and Joan Valerie, Ken Howell, George Ernest, June Carlson and Billy Mahan rounding out the family, seen here in the process of discovering that work is preferable to a certain kind of play, as the family drug store is sold and New York is discovered to be not the thing for a small town family.

George Givot performs ably in a comic role, while the Jones' granddaughter is personified charmingly, despite her tears, by the same baby who cooed and captivated in "The Cisco Kid and the Lady."

Directed by Malcolm St. Clair, the picture's associate producer was John Stone.

Running time, 60 minutes. "G."* WALTER SELDEN

"G" denotes general classification.

'Shop' at $13,500 In St. Louis Cold

ST. LOUIS, Jan. 29.—Sub-freezing temperatures again hurt grosses here, but "Shop Around the Corner" drew $13,500 at Loew's State.

Estimated grosses for week ending Jan. 25:

"Shop Around the Corner" (M-G-M)
"Earl of Chicago" (M-G-M)
LOEW'S STATE (3,162) (25c-40c-55c) 7 days. Gross: $13,500. (Average, $13,000)

"The Invisible Man" (Univ.)
"He Married His Wife" (20th-Fox)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $8,000. (Average, $11,000)

"Gulliver's Travels" (Para.)
"Laugh It Off" (Para.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,200. (Average, $4,000)

"The Great Victor Herbert" (Para.)
"Oh, Johnny, How You Can Love" (Para.)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $10,000. (Average, $11,500)

Ontario Film Taxes For Year $206,008

TORONTO, Jan. 29.—The revenue collected by the Ontario Government from film exchanges and theatres during the past fiscal year was $206,008, according to financial reports submitted in the Provincial Legislature. The Ontario Board of Censors collected $110,370 in fees for the examination of films while the revenue from theatre licenses reached $95,136, both amounts being the largest on record because of the number of reels submitted and the opening of new theatres. Expenditures of the Censorship and Theatres Inspection Branch for the 12 months were $33,267, the largest item of which was $26,113 for salaries.

Chicago Best Is 'Remember' With $36,700

CHICAGO, Jan. 29.—"Remember the Night" aided by a star-studded stage show, grossed $36,700 at the Chicago. "A Child Is Born" at the Garrick was another winner with a smart $6,800. The weather continued cold.

Estimated takings for the week ending Jan. 24-27:

"We Are Not Alone" (W. B.)
APOLLO—(1,400) (25c-55c-75c) 7 days. Gross: $5,700. (Average, $6,000)

"Remember the Night" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Ray Bolger & Anita Louise with Revue. Gross: $36,700. (Average, $32,000)

"A Child Is Born" (W. B.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,800. (Average, $5,000)

"The Big Guy" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 6 days. Stage: Cliff Edwards & Revue. Gross: $15,200. (Average, 13,000)

"Green Hill" (Univ.)
"Mexican Spitfire"
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $10,600. (Average, $12,000)

"Everything Happens at Night" (20th-Fox)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. Gross: $11,400. (Average, $11,000)

"Tower of London" (Univ.)
STATE-LAKE — (2,700), (25c-35c-40c) 7 days. Stage: Rosita Royce & Revue. Gross: $14,400. (Average, $12,000)

"Raffles" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $8,800. (Average, $14,000)

'Hunchback' $16,500 Pittsburgh's Leader

PITTSBURGH, Jan. 29.—"The Hunchback of Notre Dame" survived the zero cold spell and drew $16,500 to Loew's Penn.

Estimated takings for the week ending Jan. 25:

"Green Hell" (Univ.)
ALVIN — (1,900) (25c-35c-50c) 6 days. Gross: $4,200. (Average, 7 days, $7,000)

"Geronimo" (Para.)
FULTON—(1,700) (25c-40c) 7 days. Gross: $3,100. (Average, $5,000)

"The Hunchback of Notre Dame" (RKO)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $16,500. (Average, $13,000)

"Swanee River" (20th-Fox)
SENATOR—(1,800) (25c-35c-50c) 7 days. 4th week. Gross: $2,300. (Average, $3,800)

"Invisible Stripes" (W. B.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On the stage: Eddy Duchin and orchestra. Gross: $17,500. (Average, $17,000)

"Congo Maisie" (M-G-M)
"Private Detective" (W. B.)
WARNER—(2,000) (25c-40c) 7 days. Gross: $4,100. (Average, $5,000)

Dorsey, 'Johnny' $13,600, Milwaukee

MILWAUKEE, Jan. 29.—Tommy Dorsey on the Riverside stage with the film, "Oh, Johnny, How You Can Love," grossed $13,600 in another week of frigid temperatures.

Estimated takings for the week ending Jan. 25:

"Geronimo" (Para.)
"All Women Have Secrets" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $4,800. (Average, $4,000)

"Oh, Johnny, How You Can Love" (Univ.)
RIVERSIDE—(2,700) (30c-40c-55c) 7 days. Stage: Tommy Dorsey. Gross: $13,600. (Average, $6,500)

"The Hunchback of Notre Dame" (RKO)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,250. (Average, $1,500)

"Destry Rides Again" (Univ.)
"The Return of Dr. X" (F. N.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $6,300. (Average, $4,500)

"Judge Hardy and Son" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $5,800. (Average, $5,500)

Pittsburgh Paper Scores Neely Bill

PITTSBURGH, Jan. 29.—In an editorial, the *Post-Gazette* attacked the Neely bill.

"We are convinced that this bill is fundamentally unsound," the Paul Block morning daily said, "and that, if it is passed, will have the most serious effects on the quality, the quantity, and the price of motion picture entertainment as it is now enjoyed by 85,000,000 of our citizens every week, at an average admission of 23 cents."

The paper contended that "if the distributors are forced to sell and the exhibitors to buy only one picture at a time, the cost of renting films will inevitably rise and just as inevitably be passed on to the patron."

The paper offered refutation to arguments for the Neely plan by stating that "the exhibitor does not have to take a bad picture to get a good one," and "the smaller companies, which are now able to turn over their capital rapidly enough to keep several pictures going at various stages of completion, would be driven out of business and the strictest sort of monopoly would result.

"Study reveals that the Neely bill," it claimed, "is but one more wholly impractical and highly dangerous attempt to extend the unnecessary governmental regulation of business."

Neely Foes, Friends Press Their Drives

(*Continued from page* 1)

circuits and individual exhibitors who oppose the bill.

A pamphlet based on a recent speech by C. C. Pettijohn, general counsel of the Hays office, has been circulated by the organization among exhibitors and newspaper editors. Another pamphlet, intended to influence the same persons and Congressmen, has been sent out by Abram F. Myers, general counsel of Allied States. Allied officials are also sending letters to newspapers.

Felix A. Jenkins, 20th Century-Fox general counsel, and Col. H. A. Cole, president of Allied, discussed the pros and cons of the measure at a forum of the Motion Picture Council of Montclair, N. J., last night. Among others, Will H. Hays discussed the bill in New Rochelle last week. Harry Goldberg, advertising and publicity director for the Warner circuit, and Sidney Samuelson, Allied official, will lead an open forum discussion at a Philadelphia women's club group in February.

Congressmen are being deluged with letters expressing both sides of the issue. They come from exhibitors, film company employes, trade unions, better films councils and other public groups.

Michigan Exhibitors Split Over Neely Bill

DETROIT, Jan. 29.—Independent exhibitors in Michigan are split on the Neely bill, with Co-Operative Theatres of Michigan on record as opposing its passage and Allied of Michigan favoring it.

Co-Operative Theatres is a buying and booking organization and comprises 100 independent theatres, mostly in Dertoit.

SHORT SUBJECT REVIEWS

"Unusual Occupations"

(*Paramount*)

This is a novel and interesting subject in color, picturing odd pursuits. Shown are a modern Noah who has constructed an ark in anticipation of a new flood, a young woman who makes novelties out of colored cellophane sippers, fishing for pearls in the Mississippi River, and a Hollywood stunt pilot who faces the danger but is never seen on the screen. Running time, 10 mins.

"Sugar Wind"

(*Paramount*)

A camera tour of the Island of Barbados in the Caribbean, this subject pictures in interesting fashion a little known spot on the globe. Huge windmills power the grinding machines used in pursuing the island's chief industry, the production of sugar cane. The unfailing "sugar wind" supplies the power. Running time, 10 mins.

"Shakespearean Spinach"

(*Fleischer-Paramount*)

Popeye supplants Bluto as Romeo to Olive Oyl's Juliet, and Bluto's annoyance means a rough time for Popeye until the inevitable spinach gets in its work, and Bluto is on the receiving end. An entertaining cartoon. Running time, 7 mins.

"Bowling Skill"

(*Paramount*)

Grantland Rice Sportlights are always fast entertainment, and this one is no less so. With Ted Husing supplying the commentary, the subject pictures the ancient game of bowling on the green, modern duck pins, and concludes with incredible shooting by Gene Gagliardi, world champion. Running time, 10 mins.

"Old Natchez"

(*FitzPatrick-M-G-M*)

The pre-Civil War days are reenacted in the annual pilgrimage of the Natchez, Miss., Garden Club. Old homesteads are shown and the glory of the old South described. Done in color. Running time, 9 mins.

"Where Turf Meets Surf"

(*M-G-M*)

Quick glimpses of Hollywood stars are provided when two young girl sightseers visit the Del Mar track. Bing Crosby, Pat O'Brien, Robert Taylor, Barbara Stanwyck, Stuart Erwin, Virginia Bruce and Edmund Lowe are among those present. The girls decide to bet on the horses but receive some bad tips from Nat Pendleton. Should please. Running time, 10 mins.

"Alfalfa's Double"

(*M-G-M*)

Alfalfa of "Our Gang" finds a bored rich boy who looks exactly like Alfalfa. The rich boy is tired of the continuous lessons while Alfalfa is fed up with his daily chores. They decide to change places but after a trial period, both decide that there's no place like home. Plenty of laughs. Running time, 11 mins.

"Stranger Than Fiction, No. 71"

(*Universal*)

This is no less interesting than others of the series. Featured are the delicate making and inserting of full-rigged ships in bottles, the Canadian collector of old watches, the woman who paints on cobwebs, the auto-boat which cuts swamp grass, and the clever Boston terrier which helps unload tires from a truck. Running time, 9 mins.

"Going Places, No. 71"

(*Universal*)

Strange creatures in the Western Hemisphere form the subject matter of a novel and interesting subject. Pictured are such odd and little known animals as the iguana, parasoso, opossum, ant-eater, three-toed sloth, porcupine, otter and spider monkey. Running time, 9 mins.

"Andy Panda Goes Fishing"

(*Universal*)

Walter Lantz's new cartoon character is an amusing creature for the youngsters. In this color subject he goes fishing, is pursued by native panda-hunters and is rescued by an electric eel and an active turtle. Running time, 9 mins.

"Rhythm Jamboree"

(*Universal*)

A group of variety specialists perform with individual skill in this musical short subject, which is entertaining for those who like the modern trend in song and dance. Among the specialty performers are Judy Starr, singer; Johnny O'Brien and his Harmonica Hi-Hats; Bill Burt, tap dancer; the Brown sisters, colored singers, and others. Running time, 18 mins.

"Bullets and Ballads"

(*Universal*)

In the setting of a dude ranch lounge, this musical subject pictures a group of entertainers who offer a fast-stepping variety bill. Included are Armida, dancer; Ken Stevens, tenor; the Fanchonettes, chorus line; the Texas Rangers, a singing octette, and the Caits Brothers, comedy dancers. Running time, 18 mins.

"The Fishing Bear"

(*Harmon-M-G-M*)

Here is one of the liveliest color cartoons in a long while. An old bear goes fishing for trout with a special bait called "trouties." The young fish see the box and want to become junior G-men in the manner of children with breakfast cereals. A wild duck lands to complicate matters. An amusing bit. Running time, 9 mins.

"The Old South"

(*M-G-M*)

This "Miniature" tends to be more documentary in form than most of the series. The theme is that of the South struggling to gain a foothold, its struggle with the North, and its subsequent regeneration. Cotton, of course, is the key to the South's history. The early efforts to separate the cotton from the seed and the discovery of the cotton gin highlight the reel. An interesting short. Running time, 10 mins.

"Know Your Money"

(*M-G-M*)

There are almost limitless exploitation possibilities in this latest issue of the "Crime Does Not Pay" series. Dealing with counterfeit money, the reel portrays the activities of a counterfeit ring and shows how they can be apprehended. In addition, the method of detecting bogus bills is briefly described. With a good campaign, this short subject should draw at the box-office. Running time, 21 mins.

Judging of Quigley Awards Set Today

(*Continued from page* 1)

in town for the judging will be: George C. Walsh, president of Netco Theatres, Poughkeepsie, N. Y.; Nat Holt, advertising manager of RKO Theatres, Cleveland; Harry F. Shaw, advertising manager of New England Poli-Loew Theatres, and Ed M. Fay, Fay Theatres, Providen[illegible]

The luncheon program will be opened at 11:30, when the judging of the entries will begin. Material to be judged will be set on individual numbered tables for the convenience of the judges. After examination of the entries, the judges will set down their choices in order, the majority vote determining the winners of the Silver and Bronze Grand Awards, selected from among those with the best records in the four quarters of the 1939 competition.

The winners are expected to be in Hollywood late in February or early in March as guests of *Motion Picture Herald*. Presentation ceremonies are being prepared by a special studio committee, with plans also in work for entertainment of the winners by production executives and stars.

Among the home office executives who will act as judges today will be:

H. D. Buckley, Maurice Bergman, Charles L. Casanave, Jack Cohn, Albert Deane, Oscar Doob, Lynn Farnol, William R. Ferguson, Harry Goldberg, Edward Golden, Robert M. Gillham, Leonard H. Goldenson, E. C. Grainger, Monroe Greenthal, W. J. Heineman, Nat Holt, Arthur W. Kelly.

Also Irving Lesser, Carl Lesserman, Louis Lifton, Charles E. McCarthy, F. J. A. McCarthy, S. Barret McCormick, Harry Mandel, Leon Netter, J. J. O'Connor, Louis Pollock, Charles Reagan, Arch Reeve, W. F. Rodgers, Gradwell Sears, Harry F. Shaw, Milt Silver, A. W. Smith, Jr., Cresson E. Smith, J. R. Vogel and William A. Scully.

Two More Defendants

N. Y. Supreme Court Justice Bernstein ordered NBC and Victor Talking Machine Co., Inc., to be added as defendants in the stockholders suit brought against RCA, Western Electric, Erpi, Westinghouse and A.T.&T. Defendants are charged with transferring a large block of RCA shares without adequate compensation.

Tips on Exploitation

"Pinocchio" Opening To Be Social Event

Exploitation for the premiere, Feb. 7, of Walt Disney's "Pinocchio" at the Center, aims to have it treated by newspapers as an "event" rather than a p[illegible]re opening.

Fashion writers, society editors and reporters and feature writers, art and music critics among others, are being invited to cover the premiere. The Rainbow Room will stage a Pinocchio costume party and dance on the opening night and music from the picture will be featured by the orchestra.

More than 200,000 chain stores across the country are selling "Pinocchio" books, ranging in price from 10 cents to 25 cents, and given prominent counter and window display space.

Priests Invited To Review "69th"

San Francisco, Jan. 29.—Fox Theatre's ballyhoo for "The Fighting 69th," in which Pat O'Brien plays Father Duffy, the fighting chaplain, included a preview for 25 local priests, another preview for Interfaith representatives—ministers, rabbis, and other priests, and a trailer showing at a Northern California Irish-American rally held here.

Gifts for Babies Plug "Child Is Born"

Wausau, Wis., Jan. 29.—Verne Rounds, manager of the Wausau, promoted free gifts from 16 local merchants in connection with an exploitation stunt for "A Child Is Born." The gifts were presented for the first five babies born in Wausau after the start of the film at the theatre.

Original Costumes Used in "Wind" Stunt

Cleveland, Jan. 29.—"Gone With the Wind" is being plugged here with display in a downtown department store of the original costumes worn by Vivien Leigh and Clark Gable, including Scarlett's green sprigged muslin dress and leghorn hat and Rhett Butler's midnight blue dress suit.

Dogs as Prizes In "Thin Man" Plug

Collingwswood, N. J., Jan. 29.—A letter-writing contest was staged in conjunction with the showing of "Another Thin Man" at the Collingswood. Asta the Second—perfect image of the canine star—will be awarded to the school boy who writes the best letter, not to exceed 25 words, stating "Why I Wanna Dog." Wire-haired fox-terrier will be presented at a Saturday children's matinee.

Selection of Couples Used for "His Wife"

Philadelphia, Jan. 29.—Elmer Hollander, manager of the Stanton, sought the oldest and youngest married couples in Philadelphia for a private showing of "He Married His Wife." Selection of the couples was stressed in newspaper ads and lobby posters.

"Pinocchio"

(Walt Disney-RKO)

(*Continued from page* 1)

conspire to form a work which is an eminent contender for the box-office honors gleaned by "Snow White," largest grosser in the history of the industry.

Comparison is inevitable, the main point to be made in that connection being that both films share equally in their quality of tenderness conveyed through celluloid and in their ability to make an audience, even one expecting as much as did those present at the Hollywood press preview, oblivious to anything and everything save what they saw and heard in the theatre.

Technically, the film sets as much of a precedent as did its predecessor. No wavering figures betray an imperfectly sketched or inked outline, and the film itself is just as compact, as full bodied, as are its figures.

From the opening scene, with Jiminy Cricket turning the page of the book, "Pinocchio," to the ending which has him receive an 18-karat gold badge from the Blue Fairy for his work as Pinocchio's conscience, there is a constant stream of audience delight flowing through such sequences as the bubble in the voices of Pinocchio and Jiminy when they are under water, the imaginative details of the clocks in Geppetto's workshop, where Pinocchio was born. The personalities of Monstro, the whale; Lampwick, one of the bad little boys (and a mighty tough one) who is turned into a donkey on Pleasure Island; Stromboli, the puppet master who imprisons Pinocchio, and the Fox, J. Worthington (Honest John) Foulfellow, who, with the aid of Giddy, an entirely different breed of cat from Figaro, twice leads Pinocchio astray.

The excellence and range of the color are no place more strikingly apparent than in the scenes on the ocean floor, when Pinocchio and Jiminy have gone to look for Geppetto, Figaro and Cleo, who had been swallowed by the ferocious Monstro while trying, in turn, to find the puppet. The shadings and tints of the fishes they encounter in their search range the spectrum in a display rivaling anything the screen has produced.

Such songs as "When You Wish Upon a Star" and "Give a Little Whistle" among the five created by Leigh Harline, Ned Washington and Paul J. Smith are of a calibre guaranteeing their place among the most popular tunes of the day.

Aiding and abetting Disney in the creation of this third cartoon feature to reach American theatre screens, was a staff too numerous to list, consisting of 65 persons receiving credits in the various fields of animation and animation direction, backgrounds, art direction, music, character designs, story adaption and supervision of direction. Theatre men in every section of the country bid fair to hail them all, along with Disney, for the creation of characters demanding notice as among the greatest box-office stars of 1940, while the world will certainly recognize their artistry.

Running time, 85 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

National Theatres Officials Convene

Hollywood, Jan. 29.—The annual meeting of executives of the National Theatres Corp. started today at the Fox West Coast office with Spyros Skouras, who arrived from New York over the week-end with his brother, Charles P. Skouras, in charge.

Divisional chiefs Harold Fitzgerald, Elmer C. Rhoden, Rick Ricketson, Frank Newman and Arch M. Bowles are present. Harry Cox, A. A. Powers and Edward Zabel of the New York home office also are attending.

Zore Union President

Sheboygan, Wis., Jan. 29.—Theatrical Employes Local B-105 has named new officers as follows: Frank Zore, president; Bob Bauman, vice-president; Nellie Luksis, recording secretary; William Kotnik, business agent and secretary-treasurer; Ralph Schallow, William Way and Joseph Heitzman, board of auditors; William Heimke, Way, Zore, Kotnik and Bauman, executive board.

Wolcott Reelected By I. T. O. of Iowa

Des Moines, Jan. 29.—Leo F. Wolcott has been reelected president of the Allied-Independent Theatre Owners of Iowa and Nebraska.

W. B. Franke has been reelected vice-president and Wayne B. Dutton, secretary. Directors elected to serve until Jan. 1, 1943, were: E. M. Garbett, Jr., W. A. Dutton and E. W. Mason.

Drop Color for 'Hawk'

Hollywood, Jan. 29.—Warners has abandoned plans for making "The Sea Hawk" to star Errol Flynn and Brenda Marshall in color. Hal Wallis will place the picture before black and white cameras Wednesday.

Charter Two Companies

Albany, Jan. 29.—Chemung Theatres, Inc., Elmira, N. Y., and Trident Film Corp., New York, have been incorporated, each with an authorized capital stock of $20,000.

Strong Competition For Shorts Awards

Hollywood, Jan. 29.—Unusually stiff competition in two divisions of short subjects awards of the Academy of Motion Picture Arts and Sciences was revealed today with the announcement of the nominations made over the week-end by reviewing judges.

A tie vote in one reel subjects classification caused the nomination of four shorts—"Busy Little Bears," Paramount; "Information Please," RKO; "Profit Without Honor," M-G-M, and "Swordfishing," Warners. Only three were to have been nominated.

The same situation existed in the cartoon division where four were named. They are "Detouring America," Warners; "Peace on Earth," M-G-M; "The Pointer," Disney, and "The Ugly Duckling," Disney.

Two reelers named were "Drunk Driving," M-G-M, "Five Times Five," RKO, and "Sons of Liberty," Warners.

Final voting will be done probably Feb. 10 and 11 at the Academy Review Theatre by the judging committee.

Approximately 3,500 actors, writers, directors, producers and technicians today received by mail their ballots for nominations for film achievements. Nomination voting closes Feb. 7, and results will be announced Feb. 12, according to present plans.

Cinema Lodge Will Honor Pool Feb. 8

Dr. David deSola Pool, rabbi of the Spanish and Portuguese Synagogue, will be guest of honor and Dr. Charles H. Johnson, past Grand Master of the Masons in the State of New York, will be principal speaker at a meeting Feb. 8 of the Cinema Lodge, B'nai B'rith, at the Edison Hotel.

Other speakers include Judge Myron Sulzburger; Louis Nizer, attorney, and Rabbi Aaron Opher of the Hebrew Tabernacle. Harold Rodner of Warners is chairman of the program. A. W. Schwalberg will preside.

Members of the Lodge will attend a patriotic program in observance of Washington's Birthday, sponsored by the Council of B'nai B'rith Lodges, Feb. 25 at the Plaza Hotel. Principal speaker will be Secretary of War Harry H. Woodring. A-Mike Vogel of *Motion Picture Herald* is in charge of entertainment for the meeting.

21-Week 'Harvest' Run

"Harvest," French film, will set a record for length of run at the World Theatre when it completes 21 weeks on Feb. 25. It will be followed by "The Baker's Wife" for an indefinite engagement. Previous record hold at the World was "Mayerling," which ran 20 weeks, after 26 weeks at the Filmarte.

Ellis to Philadelphia

Jack Ellis, president of the Motion Picture Associates, has been invited by a group of Philadelphia salesmen to attend a meeting there Feb. 17 and advise them on the organization of an association similar to the M. P. A. Its purposes would be charitable and social.

Formula Drafted For Remittances

(Continued from page 1)

upon the amount of business done in England. The official figures cannot be revealed, authorities assert, because they are first subject to approval of the British government.

Industry experts, however, estimate the approximate percentages as follows: Loew's, 25 per cent; Warner Brothers-First National, 18 per cent; Twentieth Century-Fox, 17.5 per cent; Paramount, 15 per cent; United Artists, 10 per cent; Columbia, 8 per cent; RKO, 6.5 per cent.

Using these percentages as a foundation, the approximate amounts to be withdrawn by each of the foregoing seven companies would be as follows:

Loew's, $4,370,000; Warner Brothers-First National, $3,150,000; Twentieth Century-Fox, $3,062,500; Paramount, $2,625,000; United Artists, $1,750,000; Columbia, $1,400,000; RKO, $1,137,500.

The amount to be withdrawn during the year ending next Nov. 1 was computed on each company's share of the total business done in Britain during the past two years.

Under the agreement with Britain, the companies are permitted to withdraw up to 75 per cent of their year's allocations in the first six months ending next May 1, and the balance during the second six months.

Money equivalent to the domestic sales of British films which are distributed in the United States by any of the seven companies may be remitted or retained, whichever the distributing company chooses.

As part of the agreement, the companies have advised British authorities that they will not restrict their exports of films to Britain and will not raise film rentals.

Retain Donovan Firm As Counsel for RKO

Donovan, Leisure, Newton & Lumbard will continue as counsel for the new RKO company in its defense of the Government anti-trust suits, despite the fact that the law firm of Simpson, Thacher & Bartlett is counsel for the company.

The Donovan firm has been counsel for Irving Trust Co., RKO trustee throughout the reorganization, but in addition was retained as special counsel for RKO in the Government anti-trust proceedings. It will continue in this capacity.

42 Additional 'Wind' Engagements Fixed

M-G-M yesterday set 42 engagements for "Gone With the Wind," bringing the total thus far scheduled to 249 in 230 cities.

A gross of $22,500 was reported for the first four days of the run at the Fifth Ave. Theatre, Seattle, where the film opened last Thursday. The advance sale for the first two weeks is the largest in the history of Seattle roadshows, according to the management. A four-week run is anticipated.

In Pittsburgh, the advance sale at the Warner was reported as $30,000 when the film opened Friday night. Seats are being sold for the third week in February.

Woman Claims Total Of 4,000 Films Seen

Denver, Jan. 29.—Claiming to be a champ at film going, Irene Scroggs of Pueblo, Col., says she has seen about 4,000 pictures since 1915, and has a clipping about each, together with the date, to uphold her claim.

High Court Defines, Backs FCC Powers

WASHINGTON, Jan. 29.—Administrative rulings of the F.C.C. are not subject to court review, the U. S. Supreme Court declared today in an important decision defining the commission's powers.

Decisions of the Commission may be examined by the courts to determine whether they comply with the Communications Act but the F.C.C. has sole power to decide whether an application for a license is for the "public convenience, interest or necessity," the court held.

Associate Justice Frankfurter, who wrote the opinion, directed the District of Columbia Court of Appeals to dismiss writs of mandamus it had issued to Paul R. Heitmeyer, applicant for a new station at Cheyenne, Wyoming, and the Pottsville Broadcasting Co. at Pottsville, Pa. The latter case had been before the courts previously but had been sent back because of an error in the interpretation of Pennsylvania law.

Philadelphia Trust Suit Is Postponed

PHILADELPHIA, Jan. 29.—Anti-trust suit filed Jan. 3 by the Admiral Theatres against Warner Theatres, the major distributors and Robert Lynch, local M-G-M branch manager, today was postponed indefinitely.

The Admiral, suing in Federal court, seeks triple damages totaling $225,000.

A second anti-trust action, filed more than a year ago by Harry Fried, suburban exhibitor, is listed for hearing in Federal court Feb. 5.

Federal Tax Appeal Lost by Zasu Pitts

WASHINGTON, Jan. 29.—Zasu Pitts today lost her effort to upset a Circuit Court decision validating an income tax deficiency of $15,395 assessed against her by the Commissioner of Internal Revenue, when the Supreme Court rejected her appeal for review. The case involved a controversy over whether there had been a community of property between her and her former husband, Thomas S. Gallery.

U. S., Columbia Fight On Trust Quiz Today

Special Assistant Attorney General Robert L. Wright will represent the government in the argument of Columbia's motion to vacate notice of examination of its officials before Federal Judge Bondy today. Wright arrived in New York yesterday and went into immediate conference with William P. Farnsworth, head of the New York Anti-Trust Division.

Film Stars, Radio Back President's Birthday Dances

The screen and radio are contributing in large measure to the President's Birthday Ball celebrations which will center in Washington today.

Among film and radio personalities who are at the Capital and will make personal appearances at several hotels where dances will be held are:

Kay Kyser, Gene Autry, Mickey Rooney, Edward G. Robinson, Tyrone Power, Annabella, Melvyn Douglas, James Cagney, Pat O'Brien, Mary Martin, Brenda Joyce, Ona Munson, Bill Boyd, Connie Boswell, Edward Everett Horton, Walter O'Keefe, Ruth Terry, Dorothy Lamour, Gloria Jean and Olivia de Havilland.

WNEW will dedicate its "Dance Parade" to the Ball from 10 P. M. to 2 A. M., with four hours of music for persons celebrating at home. Appeals will be made on each remote broadcast for absentee contributions to the Birthday Ball Fund to fight infantile paralysis.

"The Big Town" program on which Miss Munson plays with Edward G. Robinson, will be broadcast tonight from Washington.

The celebrations in eight key cities will be carried over WMCA from 11:15 P. M. to 12:15 A. M. The celebration at the Waldorf-Astoria Hotel in New York will be broadcast over WHN from 11:15 to midnight. President Roosevelt will be heard speaking from the White House. WOR-Mutual and the NBC and CBS networks likewise will cover the parties.

Pathe Takes Over Cinema Laboratory

HOLLYWOOD, Jan. 29.—Pathe Laboratories, Inc., of California, new affiliate of Pathe Laboratories, has completed the purchase of all the assets of Cinema Laboratories, Inc., including the plant here.

O. Henry Briggs, Pathe president, and Robert S. Benjamin, counsel, completed the negotiations here. The company now operates plants in New York, New Jersey and here. Briggs will remain here to supervise expansion plans for the local laboratory.

Officers of the California company are: Briggs, president; T. P. Loach and C. Merwin Travis, vice-presidents, and R. E. Young, treasurer. Directors include the officers, with the exception of Young, and Trem Carr, Benjamin, Arthur Miller and Russell H. Wilson.

Bogus Census Takers

COLUMBUS, Jan. 29.—A warning to exhibitors to beware of impersonators of Federal census takers has been issued by the I.T.O. of Ohio. Members have been advised to ask for credentials and to turn impostors over to the police.

M-G-M Team Wins

The M-G-M basketball team defeated United Artists by 52 to 19 at the Jacob Riis gymnasium.

Radio Brevities

Novel Television Show

THE Don Lee television station, W6XAO, is preparing a novel television show with the master of ceremonies in New York and the rest of the show on the Coast, where the station is located. It will be done with films, of course. Harry R. Lubcke, director of the station, came to town over the weekend to supervise the shooting. Morey Amsterdam, emcee on Mutual's "Laff and Swing Club," will make the film.

NBC also experimented with making films for use as part of a television show but discontinued the practice when the Screen Actors Guild ruled that union conditions would have to be met.

Personalities in the News

Patrick Dolan, of the CBS publicity department, has been named sales promotion director of Columbia Recording Corp., Edward Wallerstein, president, announced yesterday. He will make his headquarters in Bridgeport. . . . Rock Clark, the Bridgeport Post *Sunday editor and radio columnist, starts a program of Connecticut and national news over WICC, Bridgeport, tomorrow. He will be heard Wednesdays and Fridays at 6:45 P. M. . . . Raymond Gram Swing, Mutual's news commentator, has completed a sound track of a film for the Children's Aid Society which will be shown at the Museum of Modern Art next Tuesday.*

A 'Murder' at WEVD!

Many listeners of Gene King's "Midnight Jamboree" over WEVD thought a murder had occurred at the studio one night last week when a phonograph needle jammed. King was playing a recording of Bonnie Baker's "Oh, Johnnie, Oh." Everything went smoothly until the needle stuck in the groove during the final "oh . . . oh . . . oh!" The switchboard was jammed before King could remedy the damage.

Program News

WWSW, Pittsburgh, has begun taking Mutual commercials, having started with "Little Orphan Annie" and "The Carters of Elm Street." . . . "Little By Little House," new daytime script serial, is now ready for release by Kasper-Gordon, Inc. . . . Joseph Sagmaster's foreign news commentary program over WKRC, Cincinnati, will be sponsored by Fenton United Cleaning and Dyeing beginning Sunday.

WABC in Yanks-Giants Deal

WABC yesterday closed a deal for exclusive coverage of the home baseball games of the Giants and Yankees, with R. J. Reynolds Tobacco Co. as sponsor. Sunday games and the seven night games of the Giants will not be broadcast. The Yankees have no night games on their schedule.

Dembow Takes Post

Sam Dembow, Jr., yesterday took over his new post as a Paramount home office theatre executive. He will share with Leon D. Netter the home office film buying and theatre operations duties.

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May 1 as Date Of Trust Trial Seen Unlikely

Bondy Hears Columbia's Fight Against Quiz

A delay beyond May 1 in the start of trial of the Government's New York anti-trust suit appears inevitable now due to delays engendered by the Government's failure to answer defendants' interrogatories and by its last-minute introduction of pre-trial examinations of officers of defendant companies, legal observers asserted yesterday.

If the Government agrees to answer defendants' consolidated list of interrogatories, it will be given until March 1 to do so. The consolidated list has been approved by all defendants except Columbia and by New York representatives of the Department of Justice. It still must be approved by Washington.

If the Government does not approve the consolidated list it will have at least seven separate sets of answers instead of two to prepare. These probably could not be completed until after March 1.

In addition, the pre-trial examinations being sought by the Government cannot be concluded before April 1, according to their present schedule. Attorneys here are of the opinion that

(*Continued on page* 6)

Long Runs Reshuffle Broadway Pictures

Continued run bookings of such pictures as "Gone With the Wind," "Grapes of Wrath," "The Blue Bird" and "The Fighting 69th," has caused a reshuffling of the old company-showcase notion on Broadway.

Several films have been booked into theatres other than the usual first run outlets of the companies who have produced those pictures.

The extended run of "Gone With the Wind" at the Capitol, now in its seventh week, has resulted in M-G-M's "The Shop Around the Corner" playing the Radio City Music Hall. "Judge Hardy and Son," another M-G-M film which ordinarily would play the Capitol, is in its third week at the Criterion.

Warners' "The Fighting 69th" is set at the Strand for three weeks and possibly four. Another Warner picture, "Brother Rat and a Baby," is at the Roxy for a week, although the

(*Continued on page* 6)

Neely Bill Hearings in March

Washington, Jan. 30.—Tentative plans have been made by the House Interstate Commerce Committee to hold hearings on the Neely block booking bill in March, it was learned today.

Members of the Committee explained that since the oil and rail hearings are scheduled in February, it will be impossible to reach the film legislation until several weeks afterward.

Any hearings that are held, it was said, will be before the full committee rather than a subcommittee, so that all members may have first hand knowledge of the situation when called upon to deal with the bill.

Quigley Awards Acclaimed As Leaders Judge Entries

Contest Has Big Values, Schine, Wobber and Goldberg Agree

The Quigley Awards competition for showmanship was lauded as an incentive to theatre men to obtain maximum box-office results by speakers at a luncheon at the Hotel Astor yesterday in connection with the judging of the sixth annual Quigley Grand Awards, conducted by the Managers' Round Table Department of *Motion Picture Herald*.

More than 50 distribution and exhibition executives attended the luncheon. Martin Quigley was toastmaster. The speakers were Louis W. Schine, vice-president of Schine Enterprises, Inc.; Herman Wobber, general manager of distribution of 20th Century-Fox, and Harry Goldberg, director of advertising and publicity of Warner Theatres.

In opening the luncheon program, Quigley said:

"Unless great intelligence and effort is put behind the vast quantity of film which the theatres must play, it

(*Continued on page* 10)

Miami Beach to See 'New York' Tonight

Miami Beach, Jan. 30.—"Little Old New York," 20th Century-Fox production, will have its world premiere at Wometco's Lincoln here tomorrow night, with kleig lights and all the trimmings.

Many industry executives, here for winter vacations, will attend the $2.20 reserved seat premiere. The newly elected "mayor" of "little old New York," selected in a contest sponsored by the Miami *Daily News*, will be presented from the stage immediately prior to the opening. A dozen New

(*Continued on page* 2)

Schaefer, Myers Debate Neely Bill For Film Writers

Hollywood, Jan. 30.—Pros and cons of the Neely bill were debated by George J. Schaefer, RKO president, and Abram F. Myers, Allied States chairman, before 200 members of the Screen Writers Guild and representatives of various other Hollywood organizations at the Hollywood Roosevelt Hotel last night.

George J. Schaefer

Writers Guild members will vote by mail for or against the bill during the week to determine the organization's stand on the measure.

The organization went on record in opposition to the bill two years ago when Ralph Block, then an official of the Guild, appeared at a Senate hearing to protest its enactment.

From the nature of questions put to

(*Continued on page* 6)

Molly Picon Slated For Play in English

Marking her first appearance in an English language play, Molly Picon, Yiddish actress, will enact the starring role in "Morning Star," written by Sylvia Regan. George Kondolf, formerly director of the New York Federal Theatre Project and prior to that director of the Chicago Project, will produce the play, slated for opening about the middle of March.

Television All Set For Going On Network!

N.Y., Washington, Boston Link Now Possible

Television is ready for network transmission, RCA announced yesterday.

Radio relay systems which can transmit the television signal have been developed and are ready to be placed in service. Officials were noncommittal on when the system would be placed in operation. It is understood, of course, that all future innovations in the television industry are awaiting the outcome of the F.C.C. hearings on the fixing of standards.

RCA engineers declared that it is now possible to set up a radio relay system linking New York with Washington and Boston and intermediate cities. Similar systems could be worked out in other sections. However, even with a limited Washington to Boston hookup, one-sixth of America's population would be served.

Each relay station has both receiving and transmitting devices and is mounted on 100-foot towers. They

(*Continued on page* 9)

FCC in Television 'Lab' Tour Today

Washington, Jan. 30.—F. C. C. officials tomorrow will leave Washington for an inspection of television laboratories to witness demonstrations of new developments.

The group will spend Thursday in Albany and Schenectady, seeing a General Electric rebroadcast of New York television, and the Poughkeepsie-Newburgh area, where RCA will

(*Continued on page* 9)

$20,000,000 Budget For 48 RKO Films

Hollywood, Jan. 30.—RKO plans to produce 48 pictures next season, involving an expenditure of approximately $20,000,000, George J. Schaefer, president, disclosed yesterday upon his return here from La Quinta, where he held production conferences with Ned E. Depinet, vice-president, and Harry Edington, studio executive.

Miami Beach to See 'New York' Tonight

(Continued from page 1)

York notables now here have been nominated.

Among industry executives scheduled to attend are:

A. H. Blank, Nicholas M. Schenck, Major Albert Warner, N. L. Nathanson, Harry Brandt, William Brandt, E. J. Sparks, Frank Rogers, Leo Spitz and Norman Moray.

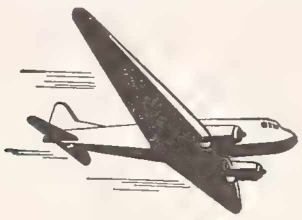
Also Herman Robbins, George Skouras, Ben Sherman, George Weeks, Harry Ross, Louis Frisch, M. B. Shanberg, Martin Mullin, Sam Pinanski, George J. Schaefer, and Sidney Meyer and Mitchell Wolfson, operators of the Lincoln and the Wometco circuits.

Others will include: Jack Dempsey, Milton Berle, Sheila Barrett, Hildegarde, Harry Richman, Tony Martin, Abe Lyman, Joan Abbott, Kay Kyser, George Jessel, Alan Cross, Henry Dunn, George E. Price, Frances Faye, Paul and Grace Hartman, Eddie Garr, Vilma and Buddy Ebsen and Jay Clarke.

Carl Erbe of the field exploitation staff, and Christy Wilbert of the home office have been assisting Sonny Shepherd in handling the advance campaign.

RKO Closes Deals With 239 Theatres

In the final week of selling preparatory to the Ned Depinet billings drive, RKO has closed deals with 17 circuits including 239 theatres. The deals practically conclude the company's major circuit selling for the 1939-'40 season.



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Purely Personal

David Bernstein, treasurer of Loew's, Inc., is vacationing at St. Petersburg, Fla.

•

Philip Sherman, former sales manager for Warners Toronto exchange, has been promoted to branch manager of the company's Montreal office. He replaces M. J. Inman, resigned.

•

Jack D. Marpole, National Screen Service representative, and Mrs. Marpole are the parents of a girl, Jacklyn Alma, born at St. Mary's Hospital, San Francisco last week.

•

Joseph Bernhard, Charles Sonin, Stanton Griffis, Otto Preminger, Louis Phillips, Morris Gest, Austin Keough and Dennis King lunching at Sardi's yesterday.

•

George J. Schaefer left by plane from the Coast yesterday afternoon for a hurried trip to New York. He plans to stay only a few days.

•

Morris Wolf, counsel for the Warner circuit in Philadelphia, has been appointed special counsel for Philadelphia closed banks.

•

Eddie Sonz, salesman with Theatre Poster Supply Co., Cincinnati, has been called to St. Louis by the illness of his father.

•

E. J. Tilton, manager of Republic Midwest exchange in Des Moines, is in a local hospital recovering from an appendicitis operation.

•

Cecil Cupp, exhibitor of Arkadelphia, Ark., has been named president of the Arkadelphia Chamber of Commerce.

•

Fred Warner, projectionist at the Paramount, New Haven, is en route to Florida for a month's vacation.

•

Herman Rifkin, head of Liberty Theatres Corp., Boston, has left for Miami to join his family.

•

William F. Rodgers, general sales manager of M-G-M, is at home suffering from the grippe.

•

William Sirica of the Lido, Waterbury, Conn., will leave for Havana next week.

•

Mary Howard is due here today for a vacation after attending the President's Ball.

•

Darryl F. Zanuck has renewed the contract of Director Irving Cummings.

•

Carl Rogers, assistant manager of Loew's, Harrisburg, is vacationing here.

•

Bennie F. Zeidman is in town, stopping at the Warwick.

•

Lou Weinberg of Columbia has returned from Miami.

•

Gene Buck, president of Ascap, is in Arizona.

•

Owen Davis, Max Dreyfus, Ted O'Shea, Sam Shain, Tom Connors, A. P. Waxman, Max A. Cohen, Russell Holman, Ed Saunders and William Morris, Jr., at Nick's Hunting Room in the Astor for lunch yesterday.

•

Mr. and Mrs. Arthur M. Loew left yesterday for the New Orleans Mardi Gras, to be followed by a motor trip to the Coast.

•

Harold Goldgraben, New York office manager for M-G-M, observes a birthday today.

Coast Flashes

Hollywood, Jan. 30.—At his own request, Edward Chodorov has returned to the writing ranks at M-G-M after a producer berth on "Man From Dakota."

In a new trend to get "name writers" to script the Hardy series, M-G-M has signed Katherine Brush to write the forthcoming film, ninth in the series.

"Parson of Panamint," *Saturday Evening Post* story by Peter B. Kyne, was purchased today by Paramount as a Harry Sherman production.

Warners is asking 100 American scientists to name subjects on scientific discoveries and advances which might be filmed. Ten of these will be produced.

Nashville Anti-Trust Hearing Set Friday

Louis D. Frohlich of Schwartz & Frohlich, Columbia counsel, and John Caskey of Dwight, Koegel and Caskey, counsel for 20th Century-Fox, will leave for Nashville today to attend the hearing in U. S. District court there Friday in the Government anti-trust suit against Crescent Amusement Co. and the major distributors.

Hearing is the first to be held since the filing of the suit early last Summer. Defendants will argue motions for bills of particulars from the Government, for a more detailed bill of complaint and will ask 40 days additional time in which to file answers.

'Lincoln' Preview Brings Out 1,500

An exhibitors' preview of RKO's "Abe Lincoln in Illinois" attracted 1,500 persons yesterday morning to the Hollywood Theatre on Broadway. Among those present were:

Bob Wolff, RKO Radio's New York branch manager; Max Gordon, co-producer of the film; Charles Bryant, general manager of the Walter Reade Circuit; Walter Reade, Jr., Sam and Harold Rinzler, Randforce Circuit; Arthur Mayer and George Hoffman of the Rialto Theatre; Charles Steiner, De Luxe Circuit; Lawrence Bolognino and Al Suchman, Consolidated Circuit; Abe Leff, Bronx Theatres; Morris Jacks, Mr. and Mrs. Leo Justin, Walter Reade Circuit; J. Thompson and Harold Klein, Cocalis Circuit; Al Lewis and Fred Schwartz, Century Circuit; David Weinstock and Emanuel Hertzig, Raybond Theatres.

Also Oscar Larger, Charles Moses and Herman Pett, Moses Circuit; Mayors McMahon and Doerch of Montclair and Caldwell, New Jersey; Otto Rettig, Ormont Theatre Company; Mr. Smith, St. Cloud Circuit; A. Hochberg, Associated Theater Owners of New Jersey; Mr. Snapper, Snapper Circuit; Maurice Spewak, Carteret Circuit: H. B. Stern, Stern Circuit; Bob Mapletoft; Mr. Kridel and family, Kridel Circuit; Doc Emmott, Newbury Circuit.

Newsreel Parade

The City of Flint's *arrival at Baltimore and its captain's recitation of its dramatic capture by the Nazis and final release features the new issues of the newsreels, out yesterday. Reels and their contents follow:*

MOVIETONE NEWS, No. 41—*C[illegible] of Flint* returns. Social Security checks mailed. Deer released in Virginia forests. Dog show in New York. Fruit shipping industry on Coast. Skating races. Gymnastics at Annapolis. Girls race on mechanical horses. Lew Lehr.

NEWS OF THE DAY, No. 239 — *Flint* ends voyage. President receives birthday cake. Canada welcomes new envoy. Distribute Social Security checks. King and Queen of movies crowned. L. I. U. vs. Michigan State basketball. Navy gym team in action. National Skate Championships at La Crosse. "The Angel," wrestler, makes debut.

PARAMOUNT NEWS, No. 44—*City of Flint* ends hectic trip. William Green presents birthday cake to Roosevelt. Test giant airliner. Canadian Parliament closes. James Cromwell arrives in Canada. Blimp rescues marooned men in Chesapeake Bay ice jam. Speed skating championships at La Crosse. Midshipmen in gymnastic training. "The Angel" wins wrestling bout.

RKO PATHE NEWS, No. 56—*City of Flint* arrives in Baltimore. Art exhibit in New York. Roosevelt gets birthday cake. Winter sports carnival at St. Paul. Mail first monthly old age pension. Navy gym team prepares for competitions. Skating at La Crosse.

UNIVERSAL NEWSREEL, No. 845—*City of Flint* arrives in port. Test new transport plane. President gets birthday cake. Italian art on display in New York. Dog show in New York. U. S. envoy arrives in Canada. Winter carnival in St. Paul. L. I. U. vs. Michigan State basketball. Ice skating at Bear Mountain. Navy gymnasts in training.

Party for U.A. Stars

A cocktail party for Madeleine Carroll and Brian Aherne will be held tomorrow afternoon in the studio apartment of Radio City Music Hall, with G. S. Eyssell, Music Hall secretary, acting as host. The film players are starred in "My Son, My Son," the new Edward Small-United Artists production.

A. L. Robarge Dies

Tomahawk, Wis., Jan. 30.—A. L. Robarge, 61, retired exhibitor and film exchange operator, died here yesterday. Robarge was associated with theatre business for 24 years in Wisconsin and served on the former state arbitration board for industry. Survivors include his wife, a son and a daughter.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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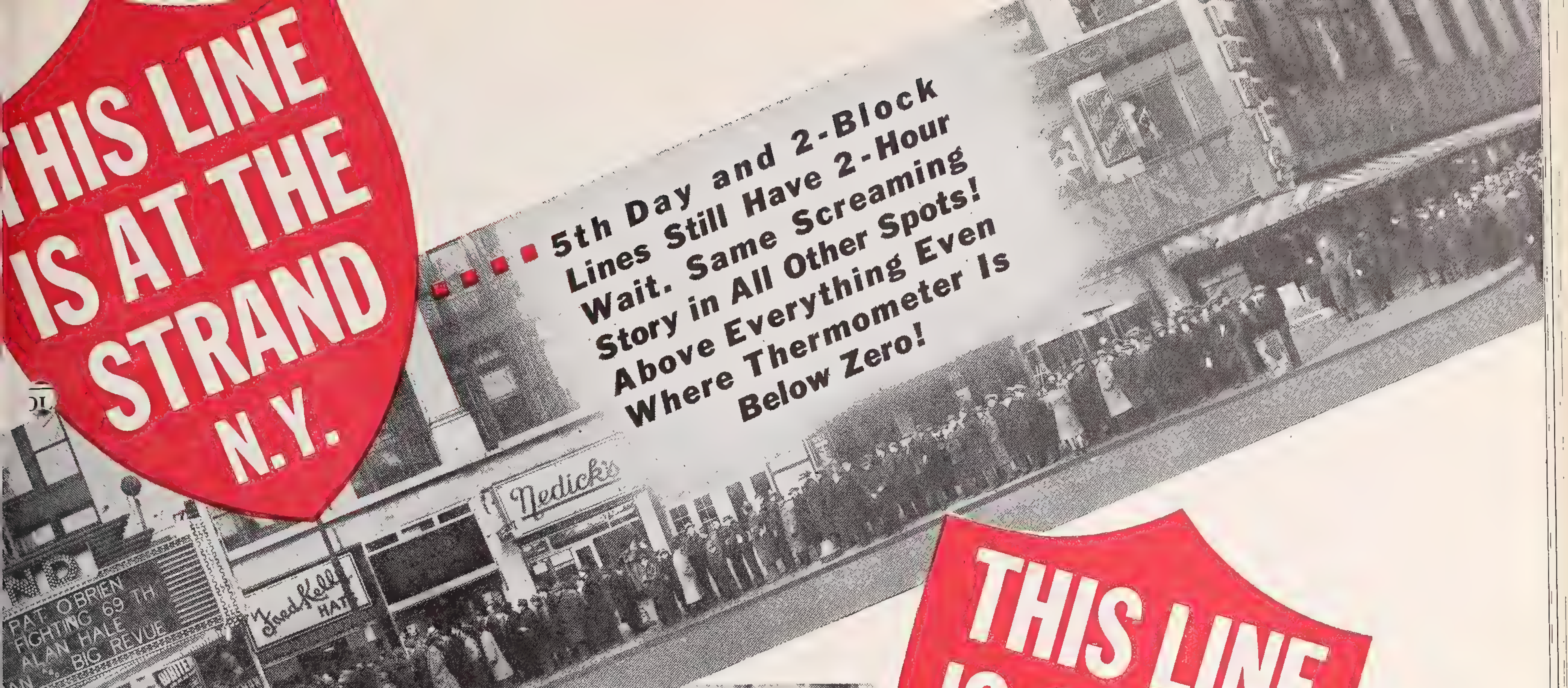


HIS LINE
IS AT THE
STRAND
N.Y.

5th Day and 2-Block Lines Still Have 2-Hour Wait. Same Screaming Story in All Other Spots! Above Everything Even Where Thermometer Is Below Zero!

THIS LINE
IS AT THE
ROXY..
N.Y.

Over 6000 Seats To Be Filled and 'Brother Rat And A Baby' Did It in the First Half-Hour of the First Day! Take the Big Tip!

THIS LINE
EXPLAINS
IT!

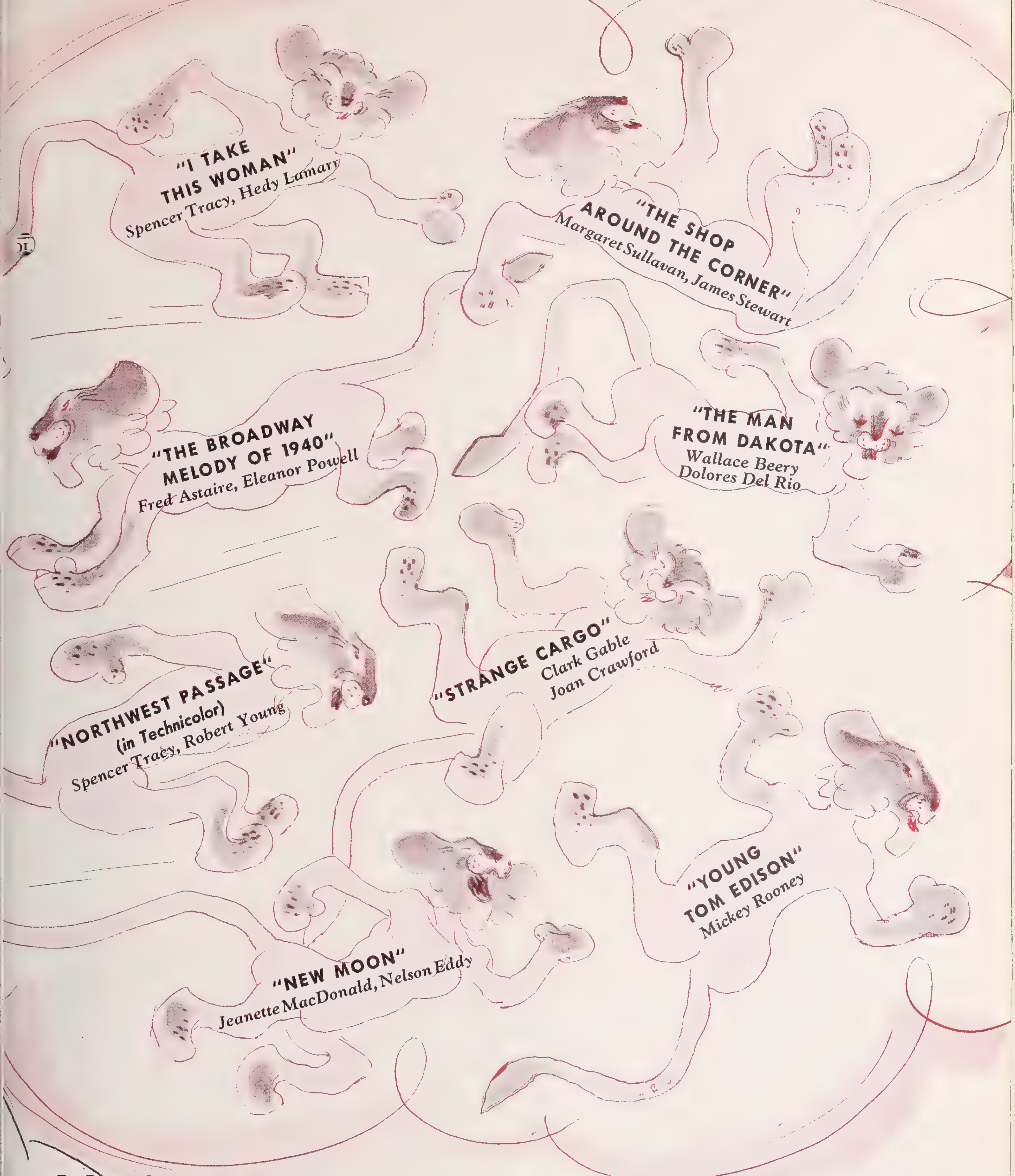
WARNERS
for Showmanship!

MARK OF SHOWMANSHIP

"ONE-TWO-THREE-FOUR-FIVE- etc.-etc."

DO YOU COUNT SHEEP AT NIGHT OR LIONS!

"z z-zZ-z- money in the bank z-z-z-z z"


"I TAKE THIS WOMAN"
Spencer Tracy, Hedy Lamarr
"THE SHOP AROUND THE CORNER"
Margaret Sullavan, James Stewart
"THE BROADWAY MELODY OF 1940"
Fred Astaire, Eleanor Powell
"THE MAN FROM DAKOTA"
Wallace Beery
Dolores Del Rio
"NORTHWEST PASSAGE"
(in Technicolor)
Spencer Tracy, Robert Young
"STRANGE CARGO"
Clark Gable
Joan Crawford
"YOUNG TOM EDISON"
Mickey Rooney
"NEW MOON"
Jeanette MacDonald, Nelson Eddy

M-G-M SHOWMEN ARE LIVE-WIRES IN THE DAYTIME BECAUSE THEY SLEEP PEACEFULLY AT NIGHT!

Neely Debate By Schaefer And Myers

(Continued from page 1)

Myers following the debate and on the basis of comments heard, a high official of the Screen Writers Guild predicted that the vote would be against the Neely bill.

Myers, first to speak, offered three principal reasons why he believes writers should support the measure. They are as follows:

"Altruistically, because there is a clear-cut issue of right and wrong at the bottom of this controversy, fair-minded persons with a knowledge of the facts cannot remain neutral.

"Selfishly, because the legislation will enlarge the opportunities for creative work and will enable meritorious screen writing to receive recognition which is denied it under the present system.

"Finally, as a bow to the inevitable, since the bill is part of a broad, general movement toward decentralization in the industry that has already gained such momentum that it cannot now be arrested."

Abram F. Myers

Myers contended that screen writers should find the Neely bill very attractive since it holds out numerous benefits to them.

Sell Films on Story Content

The importance which the measure would place on synopses, he argued, "should give writers, or some of them, new standing and dignity."

"Under the Neely bill," he said, "pictures will be sold on the basis of story content; writers will become personalities and will be distinguished from cameramen, technicians, costumers and purveyors of boots and shoes in screen acknowledgments.

"Moreover, successful writers will attain greater prestige and their goodwill will be of immense value to themselves and to the companies bidding for their services."

Schaefer reduced the Neely bill consideration to four points, namely:

"Shall the industry be hampered by Government regulation? Shall we have Government regulation of selling? Shall we have such regulation if it hampers production and retards and suppresses free expression? Shall we have Government regulation, unintelligent if you please, which favors the buyer and hobbles the producer and seller?"

Fights Government Regulation

Answering these questions, Schaefer said that he believes it is "sufficient unto itself to say that when you once permit the Government to regulate this or any other business, it is just the beginning and one never knows where it leads to. If the Government can step in and regulate one phase of your business, it is but a short step to further regulations in other directions."

"We have all had some experience with Government bureaucracy," he said. "We know from experience that regulations once put through are amended and again amended until the business is so hampered and hamstrung by regulations and amendments thereto that in many cases it is almost impossible to function without securing the approved of department heads.

"Government interference by regulation in the motion picture industry can ultimately, if not fairly and honestly considered and approved, have far more significance to this industry than to most any other industry."

Assails Bill as 'Theory'

Schaefer traced the development of the present distribution system through the years of the industry's growth, pointing out its relation to the film price system and the theatre ticket price system. He said the bill attacks the fundamentals of these systems, which were the outgrowth of experience and years of competition, and seeks to replace them with a theory.

"Most important of all," he said, "is the Neely bill's attempt to impose impossible and uncertain price regulations on distributors. The bill prohibits us from selling our product to the best of our ability and, I believe, takes away our constitutional rights and hamstrings the American system of free enterprise."

New York Review

"Swiss Family Robinson"

(Play's the Thing—RKO)

The famous novel by Johann David Wyss of the early 19th Century English family cast away on a Pacific island, has been brought to the screen as the first production of Gene Towne and Graham Baker's The Play's the Thing Productions.

Wyss' novel, read by millions in earlier generations and still a notable volume among the classics, is the kind of film which the whole family can enjoy. Somewhere in the heart of every man in today's civilization must be a desire to "get away from it all," to settle in a far-off place, where there is peace and contentment.

To those men and women who have this desire the picture will have a deep appeal. The selling of it may well take that as its theme, plus the origin of the story. Towne and Baker, who produced the film and prepared the screenplay with Walter Ferris, and Edward Ludwig, who directed, have contrived to provide action and excitement in well-spaced sequences to carry the story along rapidly.

Thomas Mitchell, as the father, handles his role with splendid credibility. It is a fine portrait of the strong-willed man who rebels at the wastrel existence of the age, and makes a new life for himself and his family on the island. The other players in the small cast are all excellent: Edna Best, the mother, and the sons, Freddie Bartholomew, Terry Kilburn, Tim Holt and Baby Bobby Quillan.

The family, especially Miss Best, rebel at Mitchell's insistence on leaving England for the colonies. Shipwrecked, they alone survive, make a home on the fertile island. In time they all learn the contentment of peace and hard work. When rescue comes, only the two eldest sons leave reluctantly to take their places in the world, the rest of the family remaining.

Given an elaborate production, the film is aided by the musical arrangement based on Franz Schubert's "Quartette in A Minor," and offers a different and appealing item of screen merchandise for the family.

Running time, 93 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

Coolness Prevents Panic

GOLDSBORO, N. C., Jan. 30.—Projectionist Dan Trueblood recently prevented a possible panic when fire started in the boiler room of the Carolina here. Trueblood walked to the center of the stage and in a calm voice said: "Will everyone please leave the building quietly." Not until after the building had been emptied of its 400 persons did the audience know the theatre was afire.

Truce in Television Jurisdiction Fight

A six-month armistice was declared yesterday in the jurisdictional dispute between actor unions over television. Negotiations are expected to start within a few weeks for wage standards as a result of the compromise.

Actors Equity, which claims exclusive jurisdiction over the new art, accepted terms presented by American Federation of Radio Artists and Screen Actors Guild which will permit all three unions, together with Chorus Equity, to exercise a joint jurisdiction.

It is reported that the unions will not seek a written contract at the present time. A.F.R.A. has been insisting that a contract obtained under the present experimental conditions might have an adverse effect on agreements which will be sought when television goes commercial.

Instead, a "bulletin board" agreement or an exchange of letters, will be requested. In effect, such an agreement would "freeze" wages at a certain level and yet permit free negotiations at a later date.

Heads Ohio Broadcasters

Vernon H. Pribble, manager of WTAM, Cleveland, and the Cleveland division of NBC, has been elected president of the Ohio Broadcasters Association. Felix Hinkle, general manager of WHBC, Canton, has been named vice-president, and B. A. Manring, of WHKC, Columbus, has been named secretary-treasurer.

May 1 as Date Of Trust Trial Seen Unlikely

(Continued from page 1)

final arrangements for the start of trial cannot be completed in the single month remaining.

A delay of any length after May 1 would put off the start of trial until next Fall because of the Federal court recess from July until September and the unwillingness of the court to open an extended trial of this kind just prior to the Summer adjournment.

An order requiring Harry Cohn, president of Columbia, to testify in New York in response to the government's demand would create a precedent that would give the government the power to cause "a terrific amount of annoyance and harassment" in subpoening other Coast officials, Federal Judge Bondy was told yesterday on Columbia's application to vacate the government notice of examination of Columbia officers.

Louis Frohlich, attorney for Columbia, argued that Cohn as a Coast resident was not amenable to court process. Special Assistant Attorney General Robert L. Wright contended that Cohn as an individual defendant in the anti-trust suit could be required to testify in New York.

Frohlich also asked for an order vacating a notice of examination of Jack Cohn, vice-president of Columbia, and Abe Montague, general sales manager, asserting that the government had failed to answer Columbia's interrogatories.

Judge Bondy, on reserving decision, indicated that he may not require Cohn to travel here from the Coast. He questioned Wright closely on the feasibility of examining Cohn in California. The government argued strongly against the court's suggestion and contended that the convenience of the court and of attorneys required an examination in New York.

During argument, Judge Bondy suggested that Judge Henry W. Goddard who will try the suit should hear all preliminary matters. Frohlich, however, asked the court to take this application under consideration because of the short time before the scheduled examinations on Feb. 5.

The government yesterday filed notice that it would apply to Judge Goddard on Feb. 6 for an order vacating the 59 interrogatories served by Columbia. The motion followed a refusal by Columbia to grant further extensions of time to the government to file objections.

Long Runs Reshuffle Broadway Pictures

(Continued from page 1)

Roxy is the 20th Century-Fox outlet. Two 20th Century-Fox films are at other theatres. "Grapes of Wrath" is in an indefinite run at the Rivoli and "The Blue Bird" is roadshowing at the Hollywood.

In addition, Paramount's "Remember the Night" enters its third week today at the Paramount; "The Lion Has Wings," United Artists film, is at the Globe, in its second week, and Universal's "Green Hell" is at the Rialto.

A Private Nurse Says:

"It takes a lot to make me love a man in the face of all I know about them!"

CAROLE

Lombard

BRIAN

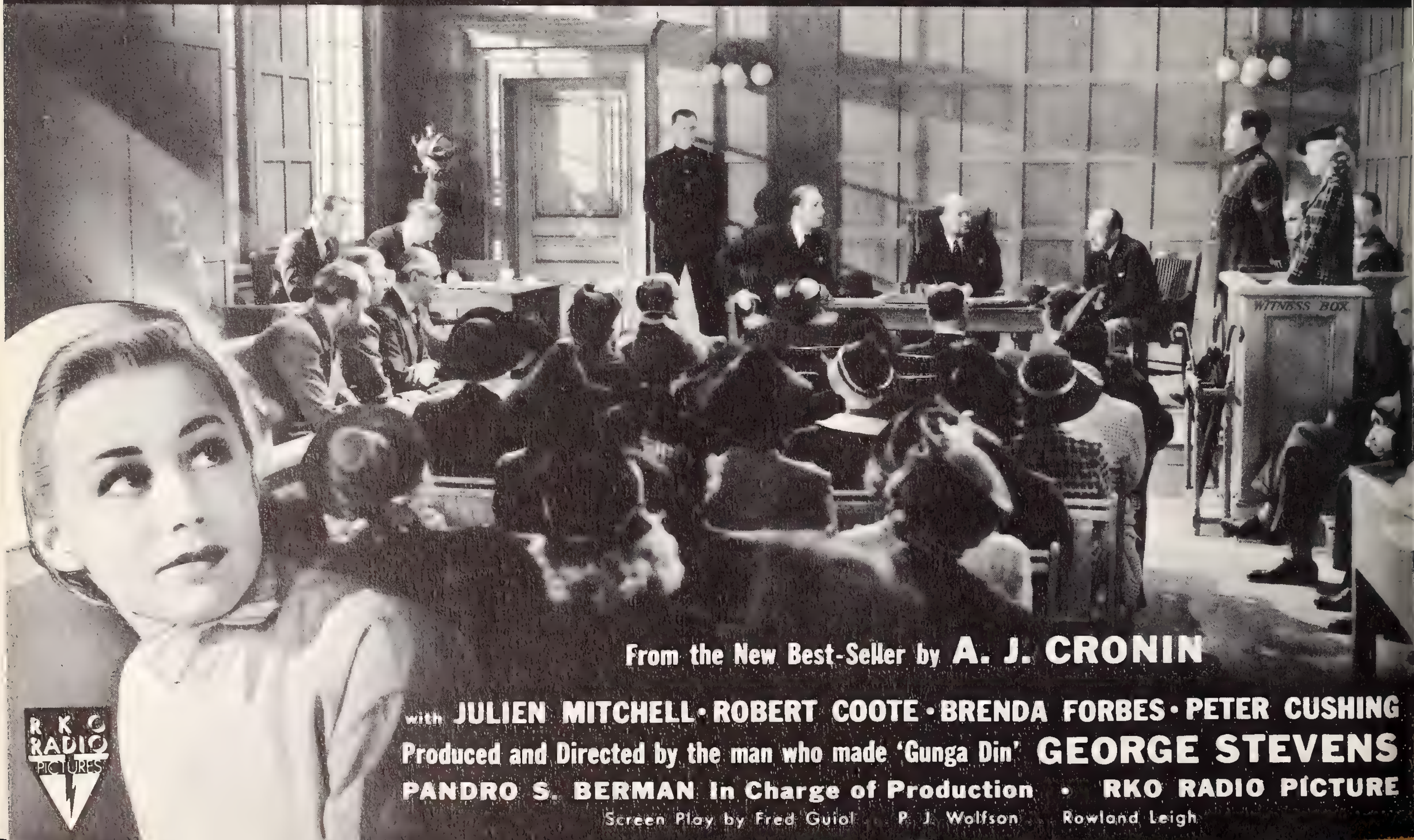
Aherne

ANNE

Shirley

THE AUTHOR OF "THE CITADEL" *reveals the intimate secrets of a private nurse, in a drama more absorbing than his first great success—the story of two sisters who braved a ruthless code to find the love their spartan calling would deny them! Played by three great stars with a brilliance that fires flesh and blood into the most sensational serial published by Good Housekeeping Magazine in years! . . A dramatic flame to blaze new box office wildfire everywhere!*

"VIGIL IN THE NIGHT"



From the New Best-Seller by **A. J. CRONIN**

with **JULIEN MITCHELL · ROBERT COOTE · BRENDA FORBES · PETER CUSHING**

Produced and Directed by the man who made 'Gunga Din' **GEORGE STEVENS**

PANDRO S. BERMAN In Charge of Production • **RKO RADIO PICTURE**

Screen Play by Fred Guiol · P. J. Wolfson · Rowland Leigh

RKO RADIO PICTURES

Sees New Art In Programs On Television

"Television should not attempt to excel or imitate any prior art in its program material; it must develop its own technique," says Harry R. Lubcke, director of television for the Don Lee Broadcasting System, who is in town for a few days after attending the F.C.C. hearings in Washington.

"The present format of programs is due to change and a new style will be developed in the same manner that radio introduced new entertainment standards," he asserts. "It is the most difficult theatrical task ever undertaken."

Programs With Variety, Pace

Lubcke believes that a video program should have variety and pace. The Don Lee station, W6XAO, in Los Angeles, uses a singer, a short playlet, a dance act, and an educational film, all on one program.

There have been about 25 advertisers on W6XAO. The longest repeat program was the Automobile Show which was telecast for nine days. Lubcke is now experimenting with the simultaneous telecasting of a show which is being broadcast and has had good results, he says.

300 Sets in Los Angeles Area

There are between 300 and 400 sets in the Los Angeles area at the present time but he believes that the lowering of prices and increased dealer cooperation will greatly increase the number sold within a short while.

W6XAO started operations on Dec. 23, 1931, and has been on the air ever since. About 2,500 programs have been aired for a total of about 5,500 hours. A total of 11,000,000 feet of film have been telecast. Formerly, the Don Lee station was permitted to use major company product but now it is restricted to commercial and educational pictures. Programs are transmitted daily except Sundays and holidays, for a total of nine evening hours and three afternoon hours. Four and three-quarter hours are devoted to live talent shows and the remainder are from film.

Goldwyn Will Film Maugham's Novel

Hollywood, Jan. 30.—Samuel Goldwyn today announced that he now has three new pictures in preparation, with the start of the adaptation of Somerset Maugham's "Macintosh," which will be re-titled "Tahiti." Jon Hall and Dorothy Lamour will be starred.

Other Goldwyn films in preparation are "The Little Foxes" and "Black Gold." Arthur Tuckerman, magazine writer and formerly press agent for the New Zealand government, has been hired for the adaptation of the Maugham novel.

Ona Munson Honored

Ona Munson, who plays Belle Watling in "Gone With the Wind," will be guest of honor at a press dinner at the Hotel Towers, Brooklyn, tomorrow night before the opening of the film at Loew's Metropolitan Theatre.

Television All Ready to Go On Network Basis in East

N.Y., Washington, Boston Link Visioned; FCC Approval Needed

(*Continued from page* 1)

operate automatically on 10-watt power without attendants. The transmission distance varies according to the terrain, but the average distance between relay points is expected to be 30 miles. Frequency used is 500,000 k.c.

In operation, the transmitting station sends out regular signal and is picked up at the first relay point where it is changed to ultra-high frequency. It is then sent from point to point until it is received at another television station where the frequency is again reduced and transmitted over the regular waveband. The signal clarity of the re-transmitted program is not affected, officials said.

Success After Long Experiments

RCA Communications has been experimenting with relay stations for many years. The first television relay was set up on an experimental basis between New York and Camden seven years ago. Four years ago Philadelphia was linked to New York by relay, but the system was found not feasible for television, although it carried telegraph, teletype and facsimile successfully.

The present system has been in operation for about a year on an experimental basis between the Empire State building transmitter and Riverhead, L. I. Relay points are at Hauppague, L. I., 45 miles from the Empire State, from where it is relayed to Rocky Point, L. I., 15 miles away, and from there is sent to Riverhead, another 15 miles away.

New Schnectady System

The new system differs from other methods of radio relay in that it makes use of frequencies many times higher than those used by regular television broadcasters.

Another method of network television is being tested in Schenectady where General Electric plans to pick up the NBC signal and retransmit it on another band.

RCA officials refused to disclose whether separate relay stations would have to be established for each system. If this can be accomplished, it would eliminate the necessity of building new towers when another telecaster, such as CBS, wishes to start a network of its own.

Griffis Sees Mayor On Eastern Films

Stanton Griffis, chairman of the board of directors of Paramount Pictures, conferred at length with Mayor La Guardia and his aide, Clendenin F. Ryan, Jr., several days ago on Eastern production, reliable sources disclosed yesterday.

The discussion centered about the feasibility of using Paramount's Eastern Service Studios in Long Island City for local film production, it was stated by one of the Mayor's aides. Griffis expressed readiness to cooperate with the Mayor in his plans, it was said.

Close Canada's Far Northern Theatre

Toronto, Jan. 30.—The fading out of the mining boom at Yellowknife in the Arctic regions has resulted in the closing of Canada's most northerly theatre, which was opened there by Nat Rothstein.

The population of Yellowknife has dwindled from 1,000 to 300, the capacity of the theatre, and Rothstein also had trouble in keeping the house supplied with films.

FCC to Hunt Facts As Television Lab Tour Starts Today

(*Continued from page* 1)

show home reception of a program from the Empire State Building.

The two following days will be spent in New York, where NBC and Cath-Ray Electronic Laboratories will give demonstrations of reception and Allen B. Dumont Laboratories will demonstrate its flexible system of transmission.

Next Monday the Commissioners will inspect the RCA plant at Camden, to see large-screen projection, and then will go to Philadelphia for demonstration by Philco of polarization mitigation of interference.

Invited to visit the Don Lee broadcasting system in Los Angeles, the Commission was forced to decline because of the distance but designated its local inspector-in-charge to view a demonstration there.

Suggestions that it might be well for the Commission to see the latest developments were made by F.C.C. Chairman Fly during the recent hearings on the proposed new television regulations.

Distribution Started By Ad Accessories

Distribution of Paramount and RKO ad accessories through National Screen Service's new unit, Advertising Accessories, Inc., will begin tomorrow.

Accessories of Universal will be added to the new service on Feb. 15. Negotiations with other large distributors are now in progress and further additions to Advertising Accessories' list depend upon their outcome.

At the outset, Advertising Accessories' offices will be maintained at Paramount exchanges wherever National Screen branches are not established.

Grainger on Tour

James R. Grainger, Republic president, left last night by plane for Pittsburgh, Cleveland and Chicago, where he will preside at sales meetings. He will return Monday.

Radio Brevities

THE Jack Benny program has again risen to top place among commercial evening network programs with a rating of 41.4, according to the report issued yesterday by Cooperative Analysis of Broadcasting (Crossley).

Bergen and McCarthy are now in second place with a rating of 40. Noteworthy is the fact that the latter show dropped only two points in changing from a full hour to a half hour show.

Lowell Thomas has hit an all-time high for his career with a rating close to 20, fully 30 per cent ahead of the commentator in second place.

Kraft Music Hall, with Bing Crosby, Bob Burns, Johnny Trotter's band and the Music Maids, leads the full hour shows with 34.5, and is closely followed by the Lux Radio Theatre.

Weather conditions are probably the cause for the unusually high ratings some of the shows on the air are obtaining these weeks.

Personalities in the News

"Humanizing Publicity" is the subject chosen by William Kostka, NBC manager of the press department, for an address before the Northeast Conference of the American College Publicity Association at Springfield, Mass., this weekend. . . . Bea Wain of "The Hit Parade" has been chosen "The Valentine Girl of 1940" by Telegraph Delivery Service, national organization of florists. . . . Melvyn Douglas, Ann Sothern and Robert Young will be heard in "I Met Him in Paris" on the Gulf Oil "Screen Guild Theatre" Sunday night. . . . Bruno Walter will conduct the NBC Symphony Orchestra for five concerts beginning Saturday evening. . . . Eddie Green, comedian, joins "Quaker Party" cast beginning Monday.

Telecast Uses Film Technique

Documentary technic used in historical films will be employed by the Baltimore & Ohio R. R. tonight for a telecast of the story of the railroad over W2XBS at 8:30. Since this is a commercial program, it will be watched closely to determine whether this type of show is an effective medium for a sponsor.

Program News

Six new members have been added to the cast of "Manhattan Mother" to make a total of 11 permanent members, one of the largest casts used on daytime shows. New additions are Ethel Owen, John Davenport Seymour, James Van Dyke, Eleanor Phelps, John Anthony and Eric Dressler. . . . George A. Hormell Co. has extended its contract for an addition month for "It Happened in Hollywood" over CBS. . . . Charles Stookey, CBS director of agricultural programs, who conducts "Columbia's Country Journal," is now offering two $5 prizes for letters on agricultural problems. . . . I. J. Fox has renewed its participation in "Milkman's Matinee" for an additional 26 weeks. . . . Mary Martin and Dick Powell will join "Good News of 1940" when it is cut to a half-hour on March 7. Fannie Brice, Hanley Stafford and Meredith Willson's orchestra continue with the show.

Quigley Prizes Hailed as Boon To Film Trade

(Continued from page 1)

is impossible for this industry to exist in its present scope and purpose."

Present were four exhibition leaders whom Quigley described as "friends of the Awards contest." They were Vincent R. McFaul, president and general manager of Buffalo Theatres, Inc.; George Walsh, Netco Theatres Corp., Poughkeepsie, N. Y.; Edward M. Fay, Providence, R. I., and Alex Manta, of Chicago, president of Indiana-Illinois Theatres.

Introduced by Quigley as "a distinguished personality of American exhibition," Schine declared:

"The Managers' Round Table plaques that we see in theatres have a great significance. They are an incentive to our men to do better work, to go out and accomplish things.

Defines 'Real Exploitation'

"It is easy to go after the 'naturals.' We train our managers to exploit not only the 'naturals' but the films which present a problem. If a manager can exploit a picture with small expense and bring money to the box-office thereby, that is real exploitation."

Wobber recalled that he had known A-Mike Vogel, chairman of the Managers' Round Table and in charge of the awards competition, for the last 20 years. Wobber paid tribute to Quigley for his enterprise in sponsoring the awards.

"Showmanship needs the impetus provided by the far-reaching results of the Managers' Round Table and the Quigley Awards," said Wobber.

"The need for such effort was never greater than today, for I don't know of any industry that is beset by so many problems."

Wobber also observed that if the results of production and distribution were carefully analyzed, it would be shown that the rewards are far from adequate. He said that gatherings such as held yesterday pointed the way to returning the film business to "its proper level of showmanship greatness."

Cites Need for Showmanship

Goldberg, a previous Grand Awards winner, declared that each producing distributing company has a problem in energizing 8,000 or 10,000 exhibitors to extract adequate value from films. He said that there is a direct relationship between the lack of exhibitor showmanship and anti-industry legislation because, in failing to call certain worthwhile pictures to the community's attention, and instead, blaming the studios for the bad performance of such films, the exhibitor paves the way for dissatisfaction and measures such as the Neely bill.

"The Quigley Awards and Managers' Round Table," Goldberg concluded, "help to stimulate the enthusiasm and intelligence of the managers, and they are, therefore, very much worth while."

The judging of the 1939 Grand Awards is being completed and results will be announced in this week's issue of *Motion Picture Herald*, and in Friday's MOTION PICTURE DAILY.

Judges of the Grand Awards were: Maurice Bergman, Columbia; Mort Blumenstock, Warners; Charles Casanave, Advertising Accessories, Inc.; David Chatkin, Monarch Theatres; Jack Cohn, Columbia president; Albert Deane, Paramount; Sam Dembow, Jr., Paramount; Oscar A. Doob, Loew's; S. Charles Einfeld, Warners; Lynn Farnol, United Artists; Edward M. Fay, Fay Theatres, Providence; William R. Ferguson, M-G-M; Robert M. Gillham, Paramount; Harry Goldberg, Warner Theatres; Edward A. Golden, Monogram.

Also Leonard Goldenson, Paramount; Edmund C. Grainger, M. A. Shea Circuit; Monroe Greenthal, United Artists; William J. Heineman, Universal; Irving Lesser, Roxy Theatre; Cliff Lewis, Paramount; Charles E. McCarthy, 20th Century-Fox; F. J. A. McCarthy, Universal; S. Barret McCormick, RKO; Harry Mandel, RKO; Alex Manta, Indiana-Illinois Theatres, Chicago; Arthur Mayer, Rialto Theatre.

Also John J. O'Connor, RKO Theatres; Louis Pollock, Universal; Louis W. Schine, Schine Circuit; Milton Silver, National Screen Service; William Sussman, 20th Century-Fox; George G. Walsh, Netco Theatres, and Herman Wobber, 20th Century-Fox.

Others who attended the luncheon were Don Velde, Advertising Accessories, Inc.; Hal Young, National Screen Service; and representatives of Quigley Publications including Colvin W. Brown, A-Mike Vogel, Sam Shain, Martin Quigley, Jr., James A. Cron, Leo Brady, Gertrude Merriam and Theodore J. Sullivan.

Film Stars Guests At the White House

WASHINGTON, Jan. 30.—Motion picture stars here for the President's Birthday Balls today were guests of Mr. and Mrs. Roosevelt at luncheon at the White House, as the President laid aside all possible duties to indulge in quiet celebration.

More than a score of film celebrities and the wives of several stars attended the luncheon, at which also were Mr. and Mrs. Franklin D. Roosevelt, Jr., G. Hall Roosevelt, District of Columbia officials and members of the White House staff.

Among those attending were:

Gene Autry, Mr. and Mrs. William Boyd, Mr. and Mrs. James Cagney, Winston Frost, Mr. and Mrs. David Gray, Olivia De Havilland, Edward Everett Horton, Mary Howard, Gloria Jean, Brenda Joyce, Richmond B. Keech, Kay Kyser, Dorothy Lamour, Elsa Lanchester, Ona Munson, Mr. and Mrs. Pat O'Brien, Walter O'Keefe, Charles Pettijohn, Tyrone Power, Mr. and Mrs. Edward G. Robinson and Mickey Rooney.

Dannenberg Claims G. N. Was Insolvent

Joseph Dannenberg, attorney for the trustee of Grand National Pictures, attempted to obtain an admission from Earle W. Hammons, former head of G.N., during examination yesterday, that the company had been insolvent during the greater part of its operations.

Dannenberg thus sought to throw doubt on the validity of a number of transactions between G.N., Skibo Productions, Arcadia Pictures and Educational Pictures. Hammons insisted that G.N. was solvent in spite of losses of $4,500 weekly.

Cashier Saves Cash

Toronto, Jan. 30.—Helen Nichols, Loew's theatre cashier, is a girl who believes in using her eyes. She brought about the arrest of a member of a gang which has been victimizing merchants by passing Mexican 20-peso notes, which are similar to Canadian $20 bills.

Legion Approves 12 of 13 New Films

National Legion of Decency has approved 12 of the 13 films reviewed for the current week. Eight are classified as unobjectionable for general patronage, four unobjectionable for adults and one objectionable in part. Films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Blue Bird," "Brother Rat and a Baby," "Hidden Enemy," "Knights of the Range," "Lion Has Wings," "Little Old New York," "Pioneer Days," "Saint's Double Trouble." Class A-2, Unobjectionable for Adults—"Farmer's Daughter," "Honeymoon Deferred," "I Take This Woman," "My Son is Guilty." Class B, Objectionable in Part—"Secret Four."

Open Canadian Exchange

TORONTO, Jan. 30.—E. M. Young, Toronto financial man, has joined J. A. Davidson, film salesman for 27 years, in the formation of a new film exchange, Regent Film Co., here, for the distribution of independent pictures.

Trade Board Gets British Film Report

LONDON, Jan. 30.—Films Council today adopted and sent to the president of the Board of Trade for examination and approval the report of its committee on film legislation.

Committee members have expressed themselves as hopeful of Government acceptance in view of the approving attitude of many officials, which is seen as foreshadowing an agree[illegible]

Recommendations in the report for a Film Credit Bank will necessitate consultation with Treasury officials and their approval. However, their acceptance of the plan is considered likely in informed quarters.

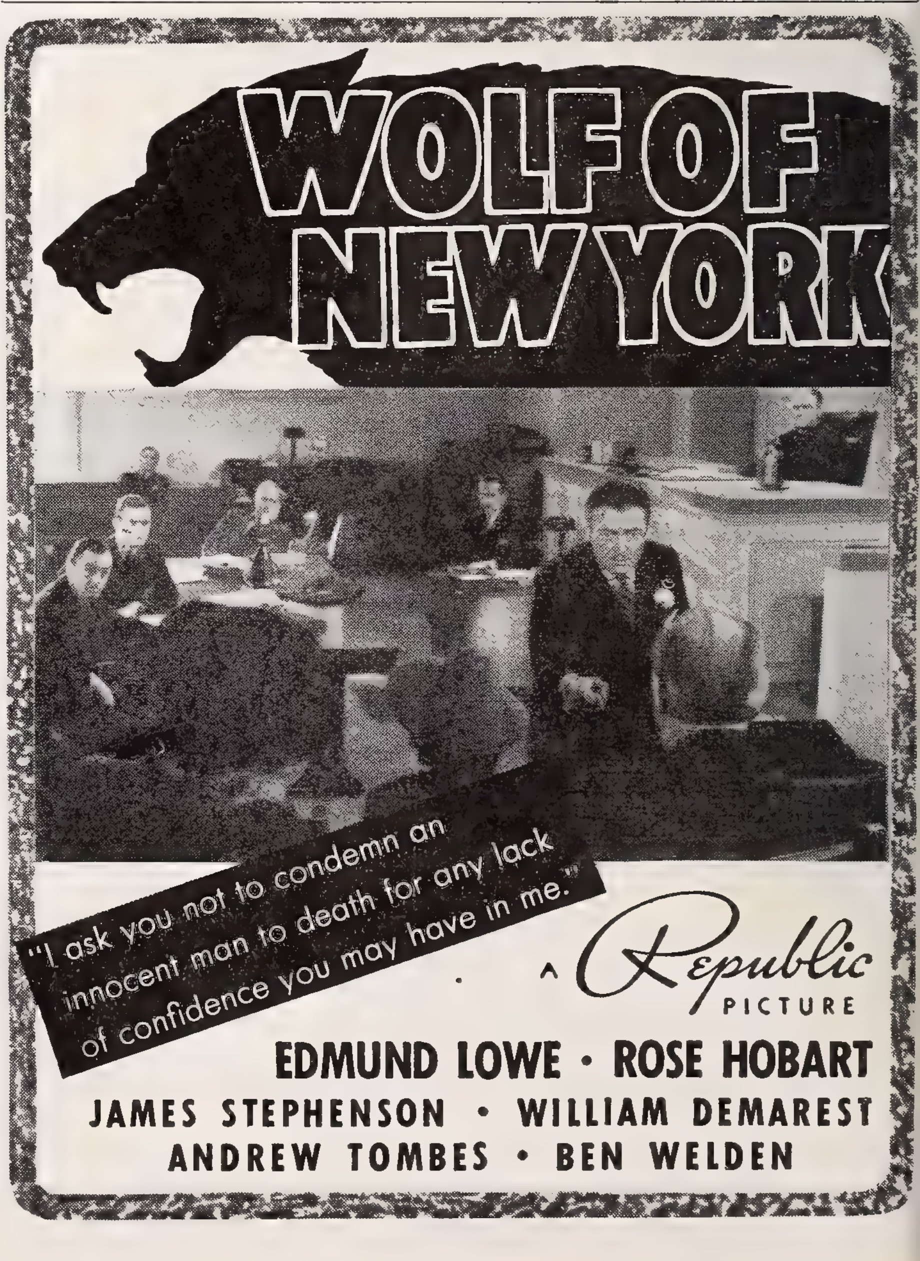
It is considered certain that the president of the Board of Trade will call the various trade groups to ascertain their views and suggestions.

Associates to Install Ellis, Others Feb. 20

Jack Ellis of RKO remains president for a third term of the Motion Picture Associates, it was decided yesterday. Ellis and other officers who were elected Jan. 16 will be installed at a luncheon meeting at the Hotel Astor Feb. 20.

Morris Sanders, on behalf of whom several friends contested the election, urged at the board meeting that the objections be withdrawn. He said, however, that the by-laws governing elections should be amended to prevent ambiguity in the result. William Stein, exhibitor, presided at the meeting.

The recent election resulted in 62 votes for Ellis and 61 for Sanders.


WOLF OF NEW YORK
"I ask you not to condemn an innocent man to death for any lack of confidence you may have in me."
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VOL. 47. NO. 24 NEW YORK, U. S. A., THURSDAY, FEBRUARY 1, 1940 TEN CENTS

Act to Settle Philadelphia Trust Action

Terms By Feb. 5 or Will Press Suit, Says Fried

PHILADELPHIA, Jan. 31.—A monopoly suit instituted more than a year ago by Harry Fried, Philadelphia suburban exhibitor, against Warner Bros. circuit and the major distributors, may be settled out of court this week.

Fried said today that an amicable settlement was in process, but that if attorneys on both sides cannot arrive at an agreement by Feb. 5 he is prepared to follow through in the courts. The case is scheduled to be heard on that day in the U. S. District Court here.

Fried's charge of alleged monopoly is based on the clearance of pictures to the detriment of his houses, asserting that he could not get pictures for his suburban theatre in Ardmore until 30 days after the Warner Bros. Ardmore either accepted or rejected them, and for his Seville in Bryn Mawr and Anthony Wayne in Wayne until seven days after the picture played the Suburban.

Fried further claims that he uses

(*Continued on page* 4)

Board of Review Convenes Today

National Board of Review of Motion Pictures will open its 16th annual conference this morning at the Hotel Pennsylvania. Dr. A. A. Brill, chairman, will convene the three-day meeting of delegates from all parts of the country with an address of welcome.

"Fifty Years of Films" will be the chief topic of discussion, with conference sessions scheduled for this morning and afternoon and tomorrow afternoon. The delegates will attend a film course at New York University this evening, and view films at the Museum of Modern Art tomorrow evening.

The conference will conclude with the annual luncheon on Saturday, at which films players will be guests. Saturday morning the National Board's junior group, the 4-Star Clubs, will meet. Among the stage and screen personalities expected to attend the luncheon are: Alison Skipworth, Burgess Meredith, Harry Carey, Barry Fitzgerald, Van Heflin, Bert Lytell, Ezra Stone, Sara Allgood, John Beal, Donald Cook, Betty Field, Robert Flaherty and Mr. and Mrs. Edward G. Robinson.

Educational Files Voluntary Petition For Bankruptcy

Educational Pictures, Inc., filed a voluntary petition in bankruptcy yesterday in U.S. District Court in which it listed liabilities totalling $577,923 and assets of $352,422.

Action of the company resulted from a recent refusal by the Securities & Exchange Commission to extend a loan of $450,000 to it to continue operations.

Erpi is listed in the schedules as the largest creditor with a claim of $241,673 against the company secured by a mortgage of Educational Studios, Inc., on studio property in California. Lloyd Wright, as trustee in bankruptcy of Grand National Films, Inc., is listed at $200,000 secured by preferred and common stock of Grand National Pictures.

Other large creditors itemized in the schedules are Earle W. Hammons, $50,000 for salary due; Jeremiah D. Maguire, $38,409 due on a lease; National City Bank, $18,251 due on a guaranty on G. N. notes, and Snider, Duke & Landis, $12,501 for legal fees.

Educational's principal asset, estimated at $250,000, is a mortgage of Educational Studios on studio equipment. Grand National Pictures and Educational Studios are listed as debtors of the bankrupt for $90,021 and $12,370, respectively.

Other assets set forth are stock held by the bankrupt in Educational Films of America and Educational Studios and certain 16 mm. prints.

The petition is signed by Earle W. Hammons as president.

Educational, one of the oldest and

(*Continued on page* 7)

British Producers Indorse Film Bank

LONDON, Jan. 31.—British producers informed the Cinematograph Exhibitors Association today that they are in favor of the plan for a Film Credit Bank, and that there is little likelihood of an increase in voluntary production without financial stimulus.

British distributors, included in the conference, declared that they have no formal plan for fulfilling quota requirements to submit to the Board of Trade. The C.E.A. will meet again with the distributors to clarify the situation on the number of available features.

LONDON, Jan. 31.—Sir Kenneth Clark, film director of the British Ministry of Information, will meet leading industry executives Monday to discuss motion picture propaganda.

MAJORS CITE AUDIT, FIGHT WAGE BOOST

Sales Record

10,098 Contracts Set Paramount Mark

Paramount's domestic sales contracts for the current season have reached 10,098, an all-time high for the company, Neil Agnew, vice-president and distribution head, said yesterday.

Agnew estimated that at the current rate of sales, Paramount contracts for the entire season will number approximately 12,350.

Agnew pointed out that many of the 10,098 contracts already sold cover situations where the product is split between two or more theatres under the same management, so that the number of theatres exhibiting the company's product is actually greater than the number of contracts closed.

Pictures In East Feasible—Griffis

Paramount has no definite plans at this time for production in the East but believes it to be feasible, Stanton Griffis, chairman of the Paramount executive committee, said yesterday.

Griffis conferred with Mayor LaGuardia during the past few days on the general practicability of the Mayor's campaign to encourage film production locally.

"I see no reason why pictures should not be made in New York," Griffis said. "We have a modern, completely equipped studio in Astoria and would like to see it kept busy. That's what it's there for.

"Paramount may make pictures there, but it has no definite plans to do so now."

Griffis said he found the Mayor's views to be practical and that he evidenced a good understanding of the industry.

The Paramount executive confirmed reports that the company is negotiating with Rowland Brown, director and writer, for distribution of his contemplated re-make of "Young Man of Manhattan," which would be produced at Astoria.

Brown has said the picture would be budgeted around $400,000 and would have Joel McCrea and Frances Dee for the leads.

Will Give 13-Week Report To IA, Ask Surrender Of 10% Increase

Having completed an audit of their books to determine the effect of the war on foreign revenue, the major companies have decided to request the I.A.T.S.E. studio crafts to surrender the 10 per cent wage increase granted to them last November.

Individual reports of the eight large companies, covering operations for the 13 weeks ended Dec. 1 last, were completed by auditors yesterday and delivered to M.P.P.D.A. headquarters.

Resume Negotiations Feb. 15

The reports will be forwarded at once to Y. Frank Freeman, Paramount studio head and acting chairman of the Producers' negotiating committee.

The committee will request that the 10 per cent increase, allowed to the I.A.T.S.E. after the unions threatened a nation-wide strike, be rescinded when the negotiations are resumed in Hollywood on Feb. 15. This date was agreed upon last November when the majors asked for time to gather evidence supporting their joint claim that they could not guarantee the permanency of the wage boost.

IATSE Fight Predicted

Generally home office opinion seems to be that the I.A.T.S.E. will not voluntarily relinquish the raise, and will attempt to put the question to arbitration in accordance with the November agreement.

The Feb. 15 conference may also determine the final status of 10 per cent increases granted several months ago at Atlantic City to the four other

(*Continued on page* 2)

Executives Attend 'New York' Opening

MIAMI BEACH, Jan. 31.—"Little Old New York," 20th Century-Fox production, had its world premiere here tonight at the Wometco Circuit's Lincoln Theatre. Many leading industry executives, vacationing at the Southern resort, were among the capacity first night audience.

With a fife and drum corps, fireworks and klieg lights, the premiere had all the fanfare of the Hollywood variety, including a number of stage, screen and radio celebrities. Movietone Newsreel cameramen were on

(*Continued on page* 7)

Purely Personal

TOM WALKER, vice-president and Eastern representative for Hal Roach Productions, leaves for the Coast Friday to confer on forthcoming Roach pictures. He will be away from his desk about two weeks.

•

Albert Lasker, John Golden, John D. Hertz, Jr., Herman Wobber, Nat Karson, Jeffrey Lynn, Mary Martin, Moss Hart, Bayard Veiller, Madge Evans, Sidney Kingsley and Robert E. Sherwood lunching at Sardi's yesterday.

•

Charles E. McCarthy, Erno Rapee, Max A. Cohen, Sidney Phillips, Ted O'Shea, Owen Davis, Tom Connors and Ed Saunders at Nick's Hunting Room in the Astor for lunch yesterday.

•

Bill Hebert, who has been doing special exploitation for Howard Dietz on "Gone With the Wind," left for Hollywood last night, his assignment at M-G-M having been completed.

•

Mrs. Stanley C. Jacques, wife of RKO's Cincinnati branch manager, has returned home following a six-week visit with her twin sons, students at the University of Southern California.

•

Oscar A. Doob leaves Feb. 9 for a vacation in Garnet and Palm Springs, Calif. He will meet Arthur M. Loew at Tucson en route and they will proceed to the Coast together.

•

Mr. and Mrs. Ken Clayton of the Des Moines *Register-Tribune* are in the city. Clayton is motion picture editor and Mrs. Clayton film critic of the paper.

•

William M. James, one of the first exhibitors in Columbus, Ohio, has been elected potentate of the Aladdin Temple of Shriners.

•

Dolores Del Rio is due here tomorrow from the Coast for a two-week vacation.

•

Olivia de Havilland left from Washington for the Coast yesterday via TWA.

•

Charles Reagan, Western division manager for Paramount, left for Detroit last night via American Airlines.

•

Brenda Joyce returns to the 20th Century-Fox studio Sunday after a brief visit here.

•

Jane Drummond, young Chicago actress, has been given a contract with M-G-M as the result of a recent screen test.

•

Mr. and Mrs. Zoltan Korda and Sabu are scheduled to arrive from Europe today on the *Conte di Savoia*.

•

Harry Bernstein flies to Havana today.

•

Abe Montague, Columbia general sales manager, and Rube Jackter, assistant sales manager, are expected in New York from the Coast today. Harry Cohn, Columbia president, is scheduled to leave the Coast by plane for New York this weekend.

•

James Cagney, now vacationing in the East, will return to the Warner studio on Feb. 9 to start work on his next picture.

•

Jeffery Lynn left for Los Angeles last night on the TWA Sky Chief.

•

John Manheimer, executive secretary of the I.T.O.A., returns late this month from a five-week vacation in Miami.

•

Barney Balaban, Paramount president, has arrived in Miami from Key West, Fla.

Suburbanites Get Stage Ticket Plan

Four plans to make Broadway theatre going easier for suburban legitimate stage audiences will be presented to Bronxville residents at a meeting on Feb. 9 at the Bronxville Public School.

These plans will be a subscription plan; a deposit of $5 which would permit telephone reservations with tickets to be picked up at curtain time; a $5 coupon book which would permit reservations up to 24 hours before the performance; or a plan for mail or telephone reservations with tickets to be picked up 48 hours before the performance.

All telephone subscribers in Bronxville will receive copies of *The Playgoer* early next week. The new publication will describe the four plans and contain invitations to the meeting. In addition, all Broadway shows are listed together with notes indicating what tickets are available at the box-offices. Meetings will be arranged for Scarsdale and White Plains at later dates.

Brock Pemberton, Elliott Nugent and Adie Williams will address the meeting, and the audience will be invited to present additional plans. Alfred Harding, editor of *Equity*, prepared the first issue of *The Playgoer*. The meeting is the first step in a series of moves by the American Theatre Council, Actors Equity and the League of New York Theatres to interest new audiences in the legitimate theatre. A preliminary budget of $2,500 has been set aside for this work.

Greenthal Leaves For Coast Parley

Monroe Greenthal, director of exploitation for United Artists, left last night by plane for Hollywood. Greenthal will meet United Artists producers and their press representatives on plans for exploitation of the company's forthcoming releases, including "Rebecca," "My Son, My Son" and "Our Town."

Columbia Signs Birdwell

Russell Birdwell and Associates have been signed by Columbia and Wesley Ruggles to do special publicity work on "Too Many Husbands."

Hoffberg in Chicago

J. H. Hoffberg Co., Inc., has established a Chicago office, under the name of Midwest Film Exchange, Inc., with Arthur Benjamin and Robert Snyder in charge.

28th House Opened Abroad By Metro

M-G-M will open the new Metro in Cairo, Egypt, tomorrow. The house will be the company's 28th theatre in 16 foreign countries. It has plans to increase its theatre properties throughout South America.

'Sidewalks' Opens Here February 14

"Sidewalks of London," the Erich Pommer production with Charles Laughton and Vivien Leigh, which was acquired for American distribution by Paramount a year ago, is being released this month to capitalize on current audience interest in Miss Leigh.

The picture was withheld from release during 1939 for this purpose. In it, Miss Leigh plays the part of a street entertainer in London who fights her way to stage stardom there, with a Hollywood career being her ultimate objective.

Laughton, also a street entertainer, who discovered her as a vagabond and gave her her first ethical as well as professional training, sinks lower as his protege abandons him on her climb to success. Eventually, they are reunited and she offers him a part in a new play. He fails to make good but this evidence of her gratitude strengthens his confidence and, rejuvenated, he returns to his old occupation of street entertainer.

The Rivoli had dated the picture but due to the extended run of "The Grapes of Wrath" relinquished it to the Paramount, where it will open Feb. 14.

"Sidewalks of London" was reviewed by Motion Picture Daily in London, Aug. 10, 1938, under the title of "St. Martin's Lane."

Museum to Exhibit 'Pinocchio' Work

An exhibit displaying detailed work done on Walt Disney's "Pinocchio," which has its world premiere Feb. 7 at the Center Theatre, will be opened in the New York Museum of Science and Industry in Radio City. The showing will be the most complete exhibition of Disney material ever assembled for the public. Animation drawings, story sketches, rough layouts, backgrounds, working models of clocks, music boxes and various sound effects equipment will be included in the display. Stills, photographs and text information will highlight the showing.

British Profits Ease Para. Quota Problem

London, Jan. 31.—Profit on recent Paramount British product has minimized the quota problem for the company, David Rose, head of British production, said today. Recent results prove production here economically successful, he declared.

He announced four high budget features for production here: "The Admirable Crichton," "The Life of Barney Barnato," "Knights of the Round Table" and "What Ho."

Majors Cite Audit, Battle Wage Boost

(*Continued from page 1*)

international unions which are signatories of the studio basic pact.

The increased pay was approved and conditioned upon the ability of the companies to pay it after suffering adverse effects of the war upon revenue abroad. As in the case of the I.A.T.S.E., the four international unions will undoubtedly insist upon arbitration if the majors fail to convince them of their inability to continue paying the increase.

The audited reports cover only results of operations from production and distribution, excluding theatre earnings of companies having theatre affiliates, since the wage increases granted did not include theatre workers, but only studio employes.

Thus, even companies whose earnings for the three-months period under consideration were on a par with earnings for the corresponding period of 1938, were found by the auditors to be in no position to maintain the wage increases after theatre earnings had been deducted. Such companies include Loew's, Paramount, 20th Century-Fox and Warners, it is reported.

On the basis of international trade conditions resulting from the war, particularly the "freezing" of 50 per cent of distribution's British revenue and the unfavorable status of foreign exchange, all producer-distributors are held by the auditors to be in no position to make the wage increases permanent.

In some instances, it was pointed out that the "freezing" of $1,500,000 to $4,000,000 or more of individual company revenues in Britain would be equivalent to, or would exceed, total earnings of some companies from production and distribution. In such cases, those companies still may show good profits as a result of theatre earnings which, however, have no bearing on the ability of production and distribution to bear the burden of the wage increases, it was said.

Jeff C. Collins Dies

Des Moines, Jan. 31.—Jeff C. Collins, 52, former theatre operator and manager of theatres for the Central States Theatre Corp. and more recently a salesman for the Republic Midwest Des Moines exchange, died here following a short illness.

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JAMES CAGNEY • PAT O'BRIEN
GEORGE BRENT
in 'THE FIGHTING 69TH'
with
JEFFREY LYNN • ALAN HALE • FRANK McHUGH
DENNIS MORGAN • DICK FORAN
WILLIAM LUNDIGAN • GUINN "BIG BOY" WILLIAMS
HENRY O'NEILL • JOHN LITEL
Directed by WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin • A Warner Bros.-First National Picture

'Hardy' Takes Good $15,500 In Twin Cities

MINNEAPOLIS, Jan. 31. — Business improved in the Twin Cities, with "Judge Hardy" taking $9,100 at the State in Minneapolis. In St. Paul the same picture took $6,400 at the Paramount.

Estimated grosses for the week ending Jan. 25:

Minneapolis:

"Fugitive at Large" (Col.)

"Llano Kid" (Para.)

"The Big Guy" (Univ.)

"All Women Have Secrets" (Para.)

ASTER—(900) (15c-25c) 8 days, split week. Gross: $2,600. (Average, $1,500)

"The Great Victor Herbert" (Para.)

CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,400. (Average, $4,000)

"Dark Journey" (U. A.)

ESQUIRE—(290) (25c-40c) 7 days. Gross: $800. (Average, $1,000)

"Dead End Kids on Dress Parade" (W. B.)

GOPHER—(990) (25c) 7 days. Gross: $3,800. (Average, $2,500)

"Four Wives" (W. B.)

ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $6,500. (Average, $4,400)

"Judge Hardy and Son" (M-G-M)

STATE—(2,300) (25c-40c) 7 days. Gross: $9,100. (Average, $4,000)

St. Paul:

"We Are Not Alone" (W. B.)

ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $2,900. (Average, $3,200)

"Judge Hardy and Son" (M-G-M)

PARAMOUNT—(2,500) (25c-40c) 7 days Gross: $6,400. (Average, $4,400)

"Housekeeper's Daughter" (U. A.)

RIVIERA—(1,000) (25c) 7 days. Gross: $2,850. (Average, $1,800)

"Rio" (Univ.)

"Inspector Hornleigh on Holiday" (20th-Fox)

TOWER—(1,000) (25c) 8 days. Gross: $3,300. (Average, $1,600)

"Intermezzo" (U. A.)

WORLD—(400) (25c-55c) 7 days. Gross: $1,400. (Average, $1,000)

Cold and Snow Hit Detroit's Grosses

DETROIT, Jan. 31.—Cold and snow held grosses to average and below average figures.

Estimated takings for the week ending Jan. 25:

"Destry Rides Again" (Univ.)

"Oh Johnny" (Univ.)

ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)

"Private Lives of Elizabeth and Essex" (W. B.)

"Dust Be My Destiny" (W. B.)

FISHER—(2,700) (15c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"His Girl Friday" (Col.)

"The Man Who Wouldn't Talk" (20th-Fox)

FOX—(5,000) (20c-55c) 7 days. Gross: $15,000. (Average, $15,000)

"Four Wives" (W. B.)

"Henry Goes Arizona" (M-G-M)

MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $11,500. (Average, $12,000)

"The Great Victor Herbert" (Para.)

"The Shop Around the Corner" (M-G-M)

PALMS—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)

"Intermezzo" (U. A.)

"The Earl of Chicago" (M-G-M)

UNITED ARTISTS—(2,000) (15c-40c) 7 days. Gross: $9,000. (Average, $10,000)

Jean Muir Resigns As AGVA Official

Jean Muir, acting executive secretary of American Guild of Variety Artists, resigned her post yesterday. She will leave today for the Coast for a role in an M-G-M film.

Miss Muir declared that Kenneth Thomson, Screen Actors Guild executive secretary, who was here for a brief visit to inspect A.G.V.A. affairs gave no indication whether he would take the helm of the vaudeville union.

Critics' Quotes . . .

"THE FIGHTING 69TH" (Warners)

Warner Brothers have not made the error of glorifying war. . . . Tells of service and courage. . . . The little scene as the 69th leaves Camp Mills is one of the most moving bits seen recently.—**Philadelphia Ledger.**

Stirring up all the latent patriotism which you might possess, and giving you the thrills that these war pictures have a way of doing. . . . The principals in the cast come as close to perfection in their roles as humanly possible.—**Dorothy Guinan, Philadelphia Daily News.**

Vigorous and moving. . . . It is fine tribute to the distinguished record of the unit. . . . An excellent cast has thrown its heart into the telling. . . . A tale of heroism and glorious records that will inspire many young men.—**Laura Lee, Philadelphia Bulletin.**

Pays vigorous tribute to the regiment. . . . Battles are expertly and excitingly staged. And the all-male cast is top-notch.—**Mildred Martin, Philadelphia Inquirer.**

A sure-fire entertainment formula. . . . An action-filled, sometime humorous, sometimes touching war film that has all the ear marks of a smash hit. . . . Cagney and O'Brien merit the stellar rating.—**Elsie Finn, Philadelphia Record.**

"THE SHOP AROUND THE CORNER" (M-G-M)

The Lubitsch touch has never been more sure and delicate. . . . He has fashioned a show which is at once human and amusing. A disarming and beguiling comedy.—**Howard Barnes, N. Y. Herald Tribune.**

Attractive screen merchandise. . . . All told, they (the cast) make "The Shop Around the Corner" a pleasant place to browse in. . . . Mr. Lubitsch must set up shop soon again.—**Frank Nugent, N. Y. Times.**

Ernst Lubitsch has made a charming, romantic film comedy. . . . It is a delightful love story about simple, unimportant people, and it is told in such a way as to warm the cockles of the heart.—**Kate Cameron, N. Y. Daily News.**

"The Shop Around the Corner" is the best picture in town. . . . It is gay and light and beautiful and as sparkling as the foam atop a glass of Pilsener. . . . A brilliantly balanced cast turns in one of the best performances of the season with Lubitsch at his tops.—**Lee Mortimer, N. Y. Daily Mirror.**

As charming a romantic piece as the season has seen. . . . A quiet little comedy about some very nice people. . . . Provides a great deal more laughter and drama than seems possible. . . . A most beguiling film.—**Eileen Creelman, N. Y. Sun.**

One of Lubitsch's most appealing pictures. . . . Slight, perfectly turned, thoroughly delightful and warming to the heart, it juggles character and situation in gay sequences of holiday humor. . . . For smooth and uninterrupted pleasure, few pictures can equal it.—**N. Y. Post.**

Once again Ernst Lubitsch shows us what a grand entertainer he is and once again it is not surprising to find a film of his providing laughter and good cheer for thousands. . . . A gay and sparkling charade, which you will miss at your own risk.—**William Boehnel, N. Y. World-Telegram.**

The famed Lubitsch touch is decidedly in evidence. . . . An enjoyable picture. . . . You'll like this one.—**Rose Pelswick, N. Y. Journal and American.**

"GONE WITH THE WIND" (M-G-M)

It has everything the producers claimed for it, including length. . . . A motion picture of power, sweep, beauty—and bitterness.—**Chicago Tribune.**

Mr. Selznick has apparently accomplished the job of pleasing every one of Margaret Mitchell's readers. . . . A spectacular success.—**Doris Arden, Chicago Daily Times.**

Entertainment of a high order. . . . There are at least 19 places where "Gone With the Wind" could stop and you would feel you had seen a picture show complete.—**C. J. Bulliet, Chicago Daily News.**

The excitement of it will take your breath away. . . . The spectator is convinced he is sitting in on history. . . . The novel of the decade has been turned into the cinema of the century. . . . The biggest order of pure entertainment that has ever come your way.—**Chicago Herald-American.**

Sonja Henie to Testify

Sonja Henie has been directed to testify before trial on Feb. 12 on application of Dennis R. Scanlan, plaintiff in a suit for $92,000. Scanlan claims to have placed the defendant with 20th Century-Fox as an actress and seeks 15 per cent of her earnings with that company under an alleged contract.

Heads Metro Club

NEW HAVEN, Jan. 31.—Metro Pep Club has elected the following officers for the year: Thomas Donaldson, honorary president; Milton Hyams, president; Mollie Smith, vice-president; Ann Caparossi, treasurer; Alice Lee, secretary, and George Weber, chairman of the entertainment committee.

Philadelphia Gives 'Wind' Huge $63,500

PHILADELPHIA, Jan. 31. — With "Gone With the Wind" a sellout at both the Earle with $35,500 and at the Boyd with $28,000, Philadelphia had its best comparative week i[illegible]ve years, grosses bettering the 1940 New Year's week by $4,000.

Estimated takings for the week ending Jan. 26:

"Of Mice and Men" (U. A.)

"Green Hell" (Univ.)

ALDINE — (1,700) (32c-42c-57c-67c) 4 adys; 3 days, 2nd week. Gross: $9,000. (Average, $8,000)

"Our Neighbors—The Carters" (Para.)

"Rulers of the Sea" (Para.)

"Balalaika" (M-G-M)

ARCADIA—(600) (32c-42c-57c) 2 days, 2nd run; 4 days, 3rd run; 1 day. Gross: $2,400. (Average, $2,600)

"Gone With the Wind" (M-G-M)

BOYD—(2,400) (86c-$1.14-$1.71) 7 days. Gross: $28,000. (Average, $13,000)

"Gone With the Wind" (M-G-M)

EARLE — (4,000) (75c-$1.14) 7 days. Gross: $35,500. (Average, $14,000)

"Brother Rat and A Baby" (W. B.)

"The Fighting 69th" (W. B.)

FOX—(3,000) (32c-42c-57c-68c) 6 days, 1 day. Gross: $15,700. (Average, $13,000)

"The Shop Around the Corner" (M-G-M)

KARLTON — (1,000) (32c-42c-57c-68c) 7 days. 2nd run. Gross: $5,700. (Average, $3,000)

"The Hunchback of Notre Dame" (RKO)

"Brother Rat and A Baby" (W. B.)

KEITH'S — (2,200) (32c-42c-57c-68c) 6 days, 2nd run; 1 day, 2nd run. Gross: $4,200. (Average, $3,500)

"The Great Victor Herbert" (Para.)

"His Girl Friday" (Col.)

STANLEY — (3,700) (32c-42c-57c-68c) 4 days; 3 days, 2nd week. Gross: $15,900. (Average, $14,000)

"The Amazing Mr. Williams" (Col.)

"Geronimo" (Para.)

STANTON—(1,700) (32c-42c-57) 1 day, 6 days. Gross: $6,800. (Average, $4,500)

Settlement of Philly Trust Action Looms

(Continued from page 1)

350 features a year at his three houses to the 180 shown at Warner Bros.' Ardmore. It is expected that Fried will get a revision on clearance time to keep the case out of court.

Irvin A. Winegrad, attorney for the Admiral theatre, which also has a monopoly suit pending against the Warner circuit, the majors, and Bob Lynch, local Metro exchange manager, seeking triple damages of $225,000 under the anti-trust laws, today put to rest any rumors that he was effecting a settlement out of court.

The Admiral suit was scheduled for a hearing Monday in U. S. District Court here but was postponed for undisclosed reasons, which gave rise to the rumors of a possible settlement.

Still pending in local Federal courts is the decision in an appeal before the Circuit Court of Appeals on the preliminary injunction granted the Landis Theatre of Vineland, N. J., against the same defendants. There is a possibility that the decision may be handed down on Feb. 5 when the court reconvenes.

Three Films by Welles

HOLLYWOOD, Jan. 31. — George Schaefer, RKO president, prior to his departure for New York yesterday, signed Orson Welles to a producer-director-writer-actor contract for his third RKO picture.

"The GRAPES of WRATH"

DAY-BY-DAY

BIGGER

BIGGER

"SURPASSES ANYTHING
IN MY EXPERIENCE,"
says John C. Wright,
manager of Rivoli Theatre

BIGGER

20th CENTURY FOX

MOTION PICTURE DAILY'S BOOKING CHART

[*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 5	Two-Fisted Rangers (O) *Charles Starrett*	The Earl of Chicago (G-D) *Montgomery*	Danger Ahead (O) *James Newill*	Emergency Squad (G-D) *William Henry*		Legion of the Lawless (G-D) *George O'Brien*	Swanee River (G-D) *Ameche-Leeds*		Oh Johnny How You Can Love (M) *Tom Brown*	A Child Is Born (A-D) *Fitzgerald-Lynn*
Jan. 12	Music in My Heart (G-M)	Shop Around the Corner (G-C) *Sullavan-Stewart*	The Secret Four (G-D) *Frank Lawton* Fatal Hour (D) *Boris Karloff*	Geronimo (G-D) *Preston Foster* *Ellen Drew*	Heroes of the Saddle (G-O) *3 Mesquiteers*	Mexican Spitfire (G-C) *Velez-Erroll*	City of Chance (G-D) *Lynn Bari* *C. Aubrey Smith*	Of Mice and Men (A-D) *Burgess Meredith* *Lon Chaney, Jr.*	The Invisible Man Returns (G-D) *Cedric Hardwicke*	Brother Rat and a Baby (G-C) *Bryan-Lane*
Jan. 19	His Girl Friday (A-C) *Cary Grant*	Congo Maisie (A-D) *Ann Sothern* *John Carroll*	Hidden Enemy (D) *Warren Hull*	Remember the Night (G-D) *Stanwyck* *MacMurray*		Married and in Love (G-D) *Alan Marshall*	He Married His Wife (A-C) *McCrea-Kelly*	Lion Has Wings (G-D) *Oberon-Richardson*	West of Carson City (O) *Johnny Brown*	British Intelligence (D) *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes (D) *Warren William*	Lambeth Walk (C) *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Wolf of New York (D) *Edmund Lowe*	Saint's Double Trouble (G-D) *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell (G-D) *Joan Bennett* *Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier (O) Convicted Women (D)	I Take This Woman (G-D) *La Marr-Tracy*	Chasing Trouble (G-D) *Frankie Darro*	Parole Fixer (D) *William Henry*	Village Barn Dance (G-M) *Cromwell*	The Marines Fly High (D) *Dix-Ball*	The Man Who Wouldn't Talk (D) *Lloyd Nolan*		Danger on Wheels (D) *Arlen-Devine*	Calling Philo Vance (D) *Stephenson*
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (M) *Astaire-Powell*	East Side Kids (D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (D) *Lombard-Aherne*	Little Old New York (D) *Faye-MacMurray*		My Little Chicadee (C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (D) *Del Rio-Beery*	Murder on the Yukon (G-O) *James Newill*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (D) *Tracy-Young*	Cheyenne Kid (G-O) *Jack Randall*	Knights of the Range (O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore* *Johnnie Downs*	
Mar. 1	Blondie on a Budget (C) *Arthur Lake*	Strange Cargo (D) *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) *Tex Ritter*	Seventeen (D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Earthbound (D) *Baxter-Leeds*	House Across the Bay (D) *Joan Bennett* *George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (D) *Jack Holt*		Human Monster (D) *Bela Lugosi*	Adventure in Diamonds (G-D) *Brent-Miranda*		Isle of Destiny (D) *Gargan-Ford*	Chan in Panama (D) *Sidney Toler*	Rebecca (D) *Olivier* *Joan Fontaine*	Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*		Tomboy (C) *Jackie Moran*	Women Without Names (D) *Drew-Paige*		Millionaire Playboy (C) *Joe Penner*		Over the Moon (D) *Merle Oberon*		3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*		Son of the Navy (C) *Jean Parker*	Road to Singapore (M) *Crosby-Lamour*		Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D *Deanna Durb*	Virginia City (O) *Flynn-Hopkins*

Book these PARAMOUNT SHORTS when you book your features!

JANUARY 19
Cinecolor
UNUSUAL OCCUPATIONS #3

JANUARY 26
Grantland Rice Sportlight
BOWLING SKILL

FEBRUARY 2
Headliner
JIMMY DORSEY AND HIS ORCHESTRA

FEBRUARY 2
Color Classic Cartoon
LITTLE LAMBKIN

100% BOX OFFICE tested

Executives Attend 'New York' Opening

(Continued from page 1)

hand to record the opening, while Station WIOD broadcast the affair.

Mayors Everett Sewell of Miami and John Levi of Miami Beach were on hand to induct into "office" Abe Lyman, as "mayor," and Joan Abbott, as "mayoress," winners of the Miami *Daily News* contest to elect Miami's mayor of "Little Old New York." The ceremony took place immediately before the showing of the film on the Lincoln stage.

Other celebrities who attended included Joe E. Lewis, Alan Cross, Henry Dunn, George E. Price, Tony Martin, Sheila Barrett, Hildegarde, Frances Faye, Paul and Grace Hartment, Vilma and Buddy Ebsen and Lou Holtz.

Among the film executives present were Louis B. Mayer, A. H. Blank, Major Albert Warner, N. L. Nathanson, M. B. Shanberg, Sam Pinanski, Harry Brandt, Leo Spitz, George Weeks, Louis Frisch, Mitchell Wolfson and Robert Mochrie.

Representing 20th Century-Fox were Harry Ballance, Southern district manager; Paul Wilson, Atlanta branch manager; I. J. Schmertz, Cleveland branch manager; Christy Wilbert and Harry Mersay of the home office, and Roger Ferri, editor of the company house organ, *Dynamo*.

Buffalo Test Case Planned on Bingo

BUFFALO, Jan. 31.—A test case to determine the legality of Bingo will be tried early in February in State Supreme Court before Justice William A. Gold, according to Gordon Steele, first assistant district attorney. The defendant will be Old Vienna, Inc., with which former Mayor Frank X. Schwab is associated.

Announcement of the test case followed pleas of guilty by three individuals to charges relating to lotteries and the dismissal of two others.

Milwaukee Bingo Rehearing Sought

MILWAUKEE, Jan. 31.—Operators of the Bahn Frei Hall here, restrained by Charles W. Trampe, head of Film Service, Inc., from renting the hall for Bingo, will ask a rehearing on the State Supreme Court's ruling that Bingo is a lottery.

To date, District Attorney Norris E. Maloney, Madison, is the only district attorney in the state to advise Bingo operators he will prosecute as a result of the high court's ruling. Because of Maloney's warning, church and fraternal organizations in Madison have discontinued the game.

Mobile Bank Night Brings Indictment

MOBILE, Ala., Jan. 31.—Ricardo Montiel, manager of the Saenger, Mobile's largest house, was indicted by the County Grand Jury on a lottery charge in connection with operation of the Theater's Bank Night.

Montiel was listed with 12 other persons on lottery charges. Solicitor Bart Chamberlain said that the indictments were the first he recalled by a County Grand Jury in lottery cases.

At Miami Beach Premiere

In this exclusive wirephoto, Sonny Shepherd, manager of the Lincoln Theatre at Miami Beach, Fla., (at the microphone) announces the arrival of Major Albert Warner at last night's premiere of the 20th Century-Fox film, "Little Old New York."

Fox Makes Changes In Its Foreign Staff

Changes effected in the 20th Century-Fox foreign department are as follows:

Charles Matzen, assistant to Managing Director J. C. Bavetta of Brazil, has been assigned to the Lima branch where he will eventually succeed S. Chiesa as manager of Peru. Chiesa will be transferred to another territory.

Frederick L. Thomas has been appointed publicity director in Great Britain, working under Managing Director Francis L. Harley. Thomas succeeds W. Buchanan-Taylor who had temporarily held the post since the death a few weeks ago of Roy Simonds.

E. S. Fraser, foreign department statistics head, has been promoted as aide to Walter J. Hutchinson, director of foreign distribution, and Irving Maas, foreign service manager. He will continue the supervision of statistics.

Assembly Advances Ticket Re-Sale Bill

ALBANY, Jan. 31.—N. Y. Assembly today moved to third reading the Mitchell bill transferring from the Secretary of State to local licensing authorities the regulation of the re-sale of theatre tickets. The measure would limit to 75 cents above box-office price the premium charged by brokers for tickets.

The bili, reported out by the Judiciary Committee yesterday, is expected to come up for third and final reading on Monday.

Elect Evans Mayor

MILFORD, Del., Jan. 31.—Edward S. Evans, manager of Schine's Plaza here, has been elected Mayor of Milford. He defeated former Councilman Charles E. Harrington by a vote of 546 to 434.

Canada to Censor Political Air Talks

MONTREAL, Jan. 31.—Radio speeches in the forthcoming national election campaign will be subjected to a strict but limited censorship. All political broadcasts during the campaign will be required to originate from the studios with copies of the talk submitted in advance for censorship. Speeches made at public meetings will not be aired.

Political portions of speeches will not be censored but they will be scanned to prevent violations of Defense of Canada regulations. C.B.C. is preparing standards which will be announced shortly. These standards are expected to follow the style used in the recent Quebec elections. Questions of free time to the various parties and the appointment of censors in all large cities to prevent delay will be settled soon.

Connecticut Allied Favors Neely Bill

NEW HAVEN, Jan. 31.—Allied Theatres of Connecticut voted unanimous and unqualified support of the Neely bill at a special luncheon-meeting at the Hotel Garde, attended by representatives of 40 independent theatres.

Frank Lydon, of Boston, regional vice-president of Allied, Arthur K. Howard, business agent of Independent Exhibitors, Inc., and E. Thornton Kelly, membership campaign supervisor, were the guest speakers.

3-Film Stahl Deal With U. A. Is Near

Deal by which John Stahl may produce a minimum of three pictures for United Artists release is expected to be closed early next week prior to the departure for the Coast of Maurice Silverstone, United Artists chief executive.

Silverstone conferred with Stahl yesterday and subsequent conferences are scheduled to be held in a few days.

Educational Files Bankruptcy Order

(Continued from page 1)

best known short subject producers and distributors in the industry, has been inactive since 1938 when a five-year deal for the distribution of its subjects by 20th Century-Fox expired and was not renewed.

Since that time, Educational had been attempting to rebuild Grand National Pictures, control of which it purchased last year. Educational's 10 months of efforts to refinance itself, and through it Grand National, collapsed last month when the Reconstruction Finance Corp. rejected its loan application. Grand National is now in process of liquidation.

Educational was founded by Hammons about 25 years ago and prospered for many years, developing into a national distributing organization with branches throughout the country.

With the rapid spread of double featuring in the early 1930s and the consequent limitation of the market for short subjects, Educational was forced to disband its distribution organization and entered into the 20th Century-Fox deal in 1933.

Kyser, 'Everything' $37,500, Cincinnati

CINCINNATI, Jan. 31. — Despite heavy snows and sub-zero temperatures, Kay Kyser on the stage, and "Everything Happens at Night" on the screen, established a near-record at the RKO Albee with $37,500 at increased stage show prices.

"Everything Happens at Night" (20th-Fox)
RKO ALBEE—(3,300) (42c-65c) 7 days. Stage: Kay Kyser and orchestra. Gross: $37,500. (Average at 35c-42c scale, $12,000)
"The Great Victor Herbert" (Para.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $10,500. (Average, $10,000)
"The Earl of Chicago" (M-G-M)
RKO SHUBERT—(2,150) (35c-42c) 7 days. Gross: $5,100. (Average, $10,000)
"Gone With the Wind" (M-G-M)
RKO SHUBERT—(2,000) (75c-$1-$1.50) 7 days, 5th week. Gross: $22,500. (Average at 35c-42c scale, $6,500)
"Gulliver's Travels" (Para.)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $5,000)
"Nick Carter, Master Detective" (M-G-M)
"North Seat Patrol" (Alliance)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,300. (Average, $1,500)
"The Fatal Hour" (Monogram)
"The Llano Kid" (Para.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"A Child Is Born" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,200. (Average, $6,000)

Two Photographic Awards to Be Made

HOLLYWOOD, Jan. 31.—Two statuettes will be awarded in the Photography Division of the 12th annual awards of the Academy of Motion Picture Arts and Sciences, one for black and white and the other for color photography, it was revealed today.

Nominations for black and white cinematography are "First Love," "Great Victor Herbert," "Gunga Din," "Intermezzo," "Juarez," "Lady of the Tropics," "Of Mice and Men," "Only Angels Have Wings," "The Rains Came," "Stagecoach" and "Wuthering Heights."

The color division nominations are: "Drums Along the Mohawk," "Four Feathers," "Gone With the Wind," "The Mikado," "Elizabeth and Essex" and "The Wizard of Oz." All directors of photography will vote to select one production for each of the awards.

Censors Stop 19 Windy City Films in Year

By **WILLIAM CROUCH**

CHICAGO, Jan. 31.—The Chicago Censor Board, which is a part of the Crime Prevention Bureau, reports that 19 feature pictures were rejected during 1939. The report also shows that the board viewed 7,190,000 feet of film during the past year, consisting of 1,626 subjects including features, shorts and newsreels. Out of this group, 390 cuts were made by the board.

The total number of "adult only" or "pink ticket" permits granted was 44. Permits to show films, one being necessary for each film, totaled 15,950.

During the past year the Civil Liberties League started a movement to have the present censor group ousted. Banning of various films, especially "Hitler-Beast of Berlin" was the cause for such action. To date no specific action has been taken by the group and the picture, retitled "Goose Step," is still unapproved by the censors.

Negotiations are being completed for the site of the new RKO exchange. The new location will be on Wabash Ave. near 13th St.

Felix Mendelsohn, former M-G-M branch manager, has emerged from retirement to go into the premium business with Murray Ross.

Service Employes Seek Reinstatement

United Theatrical and Motion Picture Service Employes Union, Local 258, has brought suit in N. Y. Supreme Court against the parent body, the United Retail and Wholesale Employes of America, (CIO), for reinstatement as a local union in good standing.

Local 258 received written notice last December that its charter had been withdrawn "due to circumstances over which we have no control."

Bernard Deckoff, president of 258, alleged that the charter had been duly granted to the local and that all dues had been paid. He asserts that the revocation was "irregular and unauthorized" because the charter could be withdrawn only if the local was found guilty on written charges. Hearing on a motion for a temporary injunction will be held Monday.

Certify WQXR Union

WASHINGTON, Jan. 31. — Radio Broadcast Technicians and Engineers Union, A. F. of L., was certified today by the National Labor Relations Board as collective bargaining agency for operators, engineers and technicians of the Interstate Broadcasting Co., Inc., owner of WQXR, New York. The certification was on the basis of a secret vote held Jan. 8.

Loses Assessment Fight

TALLEHASSE, Fla., Jan. 31.—State Supreme Court ruled against the Tampa Theatre Building, Inc., in its effort to reduce the assessed valuation of a combined theatre and office building by about $200,000.

London Review

"Band Wagon"

(General Film Distributors)

LONDON, Jan. 15 (*By Mail*)—British films which exploit the appeal of radio favorites are an old device. This one exploits the most popular radio show and the most popular English radio comedian, Arthur Askey and his "Band Wagon" feature, a program which has competed with theatres one night a week for years.

The public who follow the Askey show will get full measure here, plus a great deal more. There are songs, gags, chestnuts and sophisticated cracks at the BBC, ambitious musical ensembles, all the old catchphrases and standbys, woven zealously rather than imaginatively into a mass as rich as a Christmas pudding, and, for the gourmet, as indigestible.

The radio public—a considerable band in wartime Britain—will flock to see the film. They will find Askey and his debonair and talented companion, "Stinker" Murdoch, doing their cross talk and singing their songs; Jack Hylton and his Band, and even Mr. Middleton, the popular gardening commentator; Michael Standing, outside broadcaster, and two London journalists, entertainment scribes on a 2,000,000-sale daily.

They will find, too, a childish business about Nazi spies and a television plot in the cellar of a castle, but if they can swallow that they will find it excuse enough for a television broadcast of the radio show. It is all trivial, inconsequential stuff, but is certain of a wide public.

Technical qualities are adequate with photography notably effective. Running time, 85 minutes. "G."*

AUBREY FLANAGAN

**"G" denotes general classification.*

Providence Gives 'Friday' Big $8,000

PROVIDENCE, Jan. 31.—"His Girl Friday" and "Thou Shalt Not Kill," dualled at the Strand, brought $8,000, and "Green Hell," doubled with "Little Accident," carried the RKO-Albee to a very good $7,300.

Estimated takings for the week ending Jan. 23-25:

"Green Hell" (Univ.)
"Little Accident" (Univ.)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $7,300. (Average, $6,000)

"The Shop Around the Corner" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
LOEW'S STATE—(3,239) (25c-35c-50c) 7 days. Gross: $11,000. (Average, $11,000)

"He Married His Wife" (20th-Fox)
"City of Chance" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: 4,000. (Average, $7,000)

"His Girl Friday" (Col.)
"Thou Shalt Not Kill" (Rep.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $6,000)

"South of the Border" (Rep.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with the Byrne Trio; Hickey Brothers and Alice; Gauthier's Steeplechase; King Arline, and Park and Clifford. Gross: $7,000. (Average, $6,500)

"Four Wives" (W. B.)
"The Man Who Wouldn't Talk" (20th-Fox)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,300. (Average, $3,500)

"Daytime Wife" (20th-Fox) (3 days)
"Return of Dr. X" (W. B.) (3 days)
"Remember?" (M-G-M) (4 days)
"On Dress Parade" (W. B.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,600. (Average, $1,700)

Paramount Reveals Films, Stage Shows

Film and stage attractions through Easter have been set for the Paramount. Following a third week for "Remember the Night," "Geronimo" will go into the Paramount on Feb. 7. Following them will be "Seventeen," "Road to Singapore," "Dr. Cyclops."

The "in person" attractions booked include Van Alexander and his band, Matty Malneck's band, Cass Daley, Dorothy Lamour, Dick Stabile's band, Tommy Dorsey's band and Glenn Miller's band.

FCC Probe Attacks Stations' Contracts

WASHINGTON, Jan. 31. — Management contracts for the operation of broadcasting stations today were made the subject of a broad investigation by the Federal Communications Commission, which announced that it would hold hearings on applications for renewal of licenses of a number of companies.

Inquiry initially will be directed at Westinghouse Stations WBZA, WBZ, KYW and KDKA, General Electric Station WGY, Cornell University's WESG, Loyola University Station WWL, and University of Alabama Station WAPI, for which renewal applications are pending. Other similar stations will be designated for hearings as their applications for continuance of license are filed.

It was explained by the Commission that the purpose of the study is "to determine whether broadcast licensees are themselves discharging the rights, duties and obligations under their licenses or whether, on the other hand, such rights have been turned over to and are being exercised by outside operating companies under so-called management contracts."

All Station Licenses Will Expire on Aug. 1

WASHINGTON, Jan. 31.—Regardless of the expiration date of any broadcasting license, all permits will simultaneously terminate next Aug. 1, the Federal Communications Commission ordered today.

The Commission desires to establish a uniform expiration date for licenses in order to pave the way for the reallocation of wave lengths which will be required in the near future under the North American Regional broadcast agreement.

Stations whose licenses expire normally before Aug. 1 will be granted extensions to that date.

Radio Brevities

WOR to Broadcast Dodger Games

With the announcement yesterday by WOR that it would carry the games of the Dodgers under the sponsorship of Procter & Gamble and General Mills, the baseball situation is set for another year. CBS will air the home games of the Giants and Yankees. Red Barber, who won the *Sporting News* award as best baseball announcer, will handle the Dodger games. Broadcasting of pre-season games will start March 8.

Personalities in the News

Paramount has arranged with Benton & Bowles for the appearance of Ronald Colman, Ida Lupino and Muriel Angelus in a dramatization of "The Light That Failed" on the "Good News" show over NBC-Red next Thursday at 9 P. M. . . . John Nesbitt, producer of M-G-M's "Passing Parade" shorts, returns to the air in a commentator role later this month under the sponsorship of Bank of America. The network, restricted to the Coast, will be selected later. . . .

John Roseborough, former chief engineer for KRE, Berkeley, has joined the staff of Photo & Sound, producers of films and transcriptions. . . . William Malo, WDRC, Hartford, commercial manager, has been named chairman of District 1 of the N.A.B. sales manager division. . . .

Howard Barlow, conductor of the CBS Symphony, has been signed to an exclusive contract by Columbia Recording. . . . Don Ameche, Ida Lupino, May Robson and Helen Wood will be heard Monday at 9 P. M. over CBS in "The Young in Heart" during the "Lux Radio Theatre" show. . . . Norman Kaphan, of WHN publicity department, has been transferred to M-G-M publicity where he will be staff photographer.

"Chips" on Top in Radio Poll

Sam Taylor, WHN screen commentator, recently completed a poll of his listeners. From 2,000 replies, Taylor says, "Goodbye, Mr. Chips" was first, "Wuthering Heights" second, and "Mr. Smith Goes to Washington" third. Thirty-two films were named. "Gone With the Wind" was excluded from the balloting because it had not been generally released.

Program News

Charles H. Phillips Chemical Co. will sponsor a new show, "Amanda of Honeymoon Hill," over 45 NBC-Blue stations starting Monday. It will be heard Mondays through Fridays at 3:15 P. M. . . . Fuller Brush will sponsor "Let's Go to Work" with Herbert Hadel over WOR starting Monday. Hadel interviews jobless persons with the hope that listeners will offer employment. It will be heard Mondays at 8:30 P. M. . . . 20th Century-Fox will use spot announcements for "Little Old New York" over WNEW until Saturday.

Buys 'Brooklyn Bridge'

HOLLYWOOD, Jan. 31.—"Brooklyn Bridge," story by Arthur Caesar, has been purchased by Darryl F. Zanuck for 20th Century-Fox production. Niven Busch will write the screenplay.

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Goldwyn OK's 'Westerner's' Release by UA

Other Pictures in Doubt; Court Fight May Stay

Samuel Goldwyn advised United Artists yesterday that he would deliver his newest production, "The Westerner," to the company for distribution.

Goldwyn's communication did not mention later productions. He has three properties in the early stages of preparation. They are "The Little Foxes," "Black Gold" and "Tahiti."

The producer referred to the large investment tied up in "The Westerner," in which Gary Cooper is starred, and stated that release of the production could not be delayed.

He paid indirect tribute to United Artists' defense of its releasing contract with himself by asserting that it had prevented him from obtaining any other distribution outlet.

After delivering "Raffles," his last production, to United Artists, Goldwyn served notice that he was terminating his contract with the company. At that time, his court action to have his United Artists' contract set aside was still pending in the Federal court at Wilmington, Del.

Goldwyn then began negotiations with both RKO and Paramount on a deal for distribution of "The Westerner," but these negotiations collapsed because of the undetermined

(*Continued on page* 2)

Situation in Britain Revealed by Korda

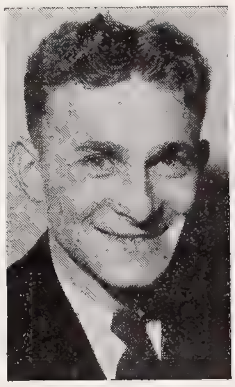
British producers are anxious to resume production but their future is uncertain and probably will remain so for the duration of the war, according to Zoltan Korda, London Films director, who arrived yesterday on the *Conte di Savoia.*

Production in England is at a low ebb, with virtually all studios occupied for emergency purposes, he said. At Denham, Britain's largest studio, where London Films produces, three stages are used as sugar depots and only two are available for camera work. Gabriel Pascal, who releases through United Artists, is now shooting "Major Barbara," a Bernard Shaw play, at Denham.

Korda believes there will be only one or two big pictures a year made by British companies, with other films

(*Continued on page* 4)

Plaque Winners



Ray Bell

Lige Brien

Quigley Awards Go To Bell and Brien As Ace Showmen

Ray Bell, publicity director for Loew's theatres in Washington, and Lige Brien, manager of Warners' Prince Theatre, Ambridge, Pa., a third run house, were named the winners of the Silver and Bronze Quigley Grand Awards for 1939 in the sixth annual competition conducted by the Managers' Round Table of *Motion Picture Herald.*

The winners were selected earlier this week by a corps of hand-picked judges, including ranking executives in distribution, advertising and circuit operation, meeting at the Hotel Astor. Martin Quigley and A-Mike Vogel, chairman of the Round Table, were hosts to the judges.

The campaigns of exhibitors who won places in the quarterly competi-

(*Continued on page* 4)

South's Cold Wave Cuts Grosses 15%; Losses Continuing

Theatre grosses throughout the entire Southern United States show a decline of 15 to 20 per cent for the three-week period of the worst cold wave the South has experienced in the last 25 years, according to box-office reports just received by circuit and distribution home offices.

Georgia, Florida, Alabama, Mississippi, Louisiana and Texas theatres felt the full force of the business loss. In individual localities, such as Atlanta, where a foot of snow covered the city for days, periodic decline in attendance and grosses was as much as 50 per cent below average.

Full effect of the business loss cannot be estimated now, as the destruction of millions of dollars of fruit and vegetable crops will have its effect on the spending capacity of the Southern

(*Continued on page* 4)

Television History! Relay Uses Films

Schenectady, N. Y., Feb. 1.—Television history was made here today when members of the Federal Communications Commission saw on local receivers a television program which originated in the NBC studios in New York City. It had been relayed a distance of 130 miles and then re-telecast over General Electric's new television station, located in the Helderberg Mountains, 12 miles from this city. The relayed program was a showing of wild animal motion pictures.

Although telecast programs have

(*Continued on page* 8)

"Little Old New York"

[20TH CENTURY-FOX]

Hollywood, Feb. 1.—This massive and solidly entertaining production in the best Darryl Zanuck manner is a fine pictorial telling of the story of Robert Fulton and his steamboat. It tells some other stories as it goes along, all closely integrated with the Fulton trials, tribulations and triumphs. It depicts also with a convincing impression of realism the New York of 1807 and the state of international affairs as of then, both with strict reference to the Fulton story.

Excellent production, writing, direction and acting combine to provide a largely factual film in which humor, drama and suspense thrive lustily without evident sacrifice of historical accuracy, a rare order of achievement.

Unquestionably a major share of the credit for the sheer entertainment power generated by this film version of a story which every school child knows in essence, is due Director Henry King, whose competence

(*Continued on page* 2)

U.S. Impasse With Majors In Trust Case

Accord on Interrogatories Balked by Government

A serious impasse between the Government and the major defendants in the New York anti-trust suit developed yesterday as a result of the Government's rejection of proposed consolidated interrogatories submitted by the majors.

Immediately following the rejection, the Government served notice on majors that it would apply to Federal Judge Henry W. Goddard on Feb. 6 for an order striking out the entire list of interrogatories of all defendants except United Artists.

The motion which predicates a long legal battle on all steps preliminary to trial seeks the court order on twelve objections. The Government move signalled a complete breakdown of efforts of several months' duration to reach an accord on preliminary steps pursuant to a direction of Senior Judge John C. Knox.

Attorneys for the majors were completely surprised by the move. Several pointed out that consolidated interrogatories had been prepared after conferences with Government attorneys. These interrogatories had been submitted early last week to the Government for its approval, it was stated.

Resentment against the Government application was expressed by a number of attorneys. Twice before the Anti-Trust Division has unexpectedly moved counter to an agreement on

(*Continued on page* 6)

Zanuck Realigns Production Staff

Hollywood, Feb. 1.—Darryl F. Zanuck today realigned his production forces at 20th Century-Fox by adding three new associate producers and by giving Sol M. Wurtzel, executive producer in charge of lower budgeted pictures, a greater number of high bracket films.

Zanuck signed Lucien Hubbard and elevated Ralph Dietrich and Walter Morosco from production assistants to the rank of full associate producers.

Dietrich's and Morosco's first assignments in their new capacities will be to produce jointly Charlie Chan and the Cisco Kid films. No assignment has yet been set for Hubbard.

Purely Personal

NATE J. BLUMBERG, Universal president, will leave for Florida today for a few weeks' vacation.

•

William F. Rodgers, Charles E. McCarthy, Guy Bolton, L. C. Friedman, William S. Hart, Moss Hart, Monty Wooley and Ed Saunders at Nick's Hunting Room in the Astor for lunch yesterday.

•

Arthur Willi, head of RKO's Eastern talent department, left yesterday for the Coast to confer with Harry Edington, production head. Willi will stop off in Chicago en route West.

•

Joseph Moskowitz, Eastern representative of the 20th Century-Fox studio, leaves for the Coast tomorrow for a month's stay. Mervin Ash, a friend, will accompany him.

•

Stella Sidel, secretary to William Sussman, 20th Century-Fox Eastern division manager, leaves today on the *Mexico* for a vacation in Mexico City.

•

Joseph Lee, sales manager at the 20th Century-Fox New York exchange and Sol R. Kelsey left yesterday for a three-week vacation in Miami.

•

Walter Immerman and Morris Leonard of B. & K. are here for Paramount home office conferences.

•

Morris Epstein, manager of the New York Republic exchange, leaves Feb. 10 for a Miami vacation.

•

William Orr, assistant to J. Robert Rubin at M-G-M, observes a birthday on Sunday.

•

Joan Fontaine arrives from the Coast today to join her husband, Brian Aherne.

•

E. C. Mills, Ascap executive, returns tonight from Louisville.

•

Roger Ferri of 20th Century-Fox returns today from Miami.

•

Al Reid of the Fabian circuit leaves for Florida today.

Warner Executives To Chicago Tonight

Jack L. Warner, Warner vice-president in charge of production, will attend the company's three-day sales conference which opens tomorrow at the Blackstone Hotel in Chicago.

Warner and S. Charles Einfeld, advertising and publicity director, will proceed to the Coast after the meeting. They will leave for Chicago tonight with a home office delegation including Gradwell L. Sears, general sales manager; Carl Leserman, assistant general sales manager; Mort Blumenstock, Eastern advertising and publicity director; Division Managers Roy Haines and Ben Kalmenson; Arthur Sachson, Norman Moray, Mitchell Rawson and Lee Blumberg.

District and branch managers and field exploitation men will attend the sessions, which will concentrate on discussing merchandising plans for Warner product.

"Little Old New York"

[20TH CENTURY-FOX]

(*Continued from page 1*)

in the field of historical dramatization has been demonstrated previously in such potent box-office pictures as "In Old Chicago."

Here his artistry employs a skilled interlacing of comedy, drama and minor disaster, liberally interspersed with fisticuffs, to bring his audience to a state of suspense which snaps into impulsive applause when the inventor proves that his engine will work. Many directors try to scale that height, but only Henry King and one or two others succeed.

Debtors to Director King are Alice Faye and Richard Greene for performances which dispel any doubts as to their ability. Greene portrays Fulton as though born for the assignment, excelling all previous promises, and Miss Faye reveals a keen and previously unsuspected comedy talent quite pointedly her own. Fred MacMurray gives a slightly less prominent role his usual strong handling while Andy Devine, Henry Stephenson, Brenda Joyce, Ward Bond and Clarence Wilson take good care of other acting chores in a large cast. Dark skinned Ben Carter has some extremely effective comedy interludes.

The screenplay, ably contrived and intelligently dialogued, is by Harry Tugend, taken from a story by John Balderston based on a play by Rida Johnson Young. Raymond Griffith acted as associate producer and Alfred Newman's music score adds tremendously to the effectiveness of the narrative.

Running time, 100 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Fried Settles Trust Suit at Philadelphia

Settlement of the Harry Fried antitrust suit pending against Warner Bros. circuit and seven major distribution companies in Federal court at Philadelphia was agreed upon yesterday, counsel for defendant companies stated.

Although full particulars of the settlement were not made known here, due to the fact that they will not be presented to the Philadelphia Federal court until Monday, it was learned that Fried will receive additional first run product for one of his three suburban theatres and adjusted clearances for the others. No financial payment is involved in the settlement.

It is understood that Fried's Ardmore theatre will obtain Paramount and Columbia first run product, in addition to the 20th Century-Fox first run which it has already. 20th Century-Fox was the only major distributor not made defendant in the action.

In addition, Fried's Ardmore theatre will play other product 21 instead of 30 days after its Warner competitor in the same town, and his theatres in Bryn Mawr and Wayne will immediately follow the Warner theatres there, it was reported.

Music Hall Party Honors Two Stars

Radio City Music Hall was host to trade executives and press representatives at a cocktail party in the Music Hall studio apartment yesterday for Madeleine Carroll and Brian Aherne, stars of "My Son, My Son," new Edward Small-United Artists production.

Among those present were: Gus Eyssell, secretary of the Music Hall; John D. Hertz, Jr., Paul Lazarus, Arthur Kelly, Roy Chartier, Hazel Flynn, Kelcey Allen, Jack Alicoate, J. J. Milstein, Tom Walker, Al Margolies, Lynn Farnol, Colvin Brown, Sam Shain, Tom Weining and Irene Thirer.

UA Release Fixed For 'Westerner'

(*Continued from page 1*)

legal status of his contract with United Artists.

Shortly thereafter, he reached a preliminary agreement with Warners on distribution of the picture, but in the meantime the Wilmington court dismissed his suit, leaving his United Artists contract, which has until 1945 to run, in full effect.

The Warner deal was abandoned by the company thereafter.

Goldwyn's New York attorney, Max D. Steuer, is in Hollywood now.

Whether Goldwyn's capitulation is complete, insofar as his future productions are concerned, or whether new litigation is being contemplated, remains a matter of conjecture.

The litigation over his contract is more than a year old, having been instituted by Goldwyn as a result of his dissatisfaction with the company's method of rewarding producers with bonuses on the basis of earnings of their individual pictures. The company offered to release him from his contract on condition that he return his one-fifth stock interest in United Artists, but Goldwyn declined.

Critic Nugent May Sign as Fox Writer

Frank S. Nugent, film critic for the New York *Times*, is negotiating with 20th Century-Fox for a writer's contract. It is reported that the offer came from the studio and that Nugent has already asked his paper for a leave of absence.

Glory for Gloria!

Although there were more than a score of elder stars present, Gloria Jean, Universal's juvenile discovery, received most attention of newsreels and the press at the Washington President's Birthday balls. Press arrangements were made by Lou Pollock, Universal's Eastern advertising and publicity manager.

Newsreel Parade

Celebration of the President's birthday is prominent in the newsreel issues out yesterday. Reels and their contents follow:

MOVIETONE NEWS, No. 42—Birthday ball for the President. Finn cities hit by Russian guns. Earthquake in Turkey. Volunteers in Norway to aid Finns. Chamberlain in war declaration. Allies blockade Germany on sea. Women pilots fly in England. Honor war chief in France. French artillery moves to front. Quadruplets in Texas celebrate first birthday. Skiing in Boston. Aquaplane meet in Miami.

NEWS OF THE DAY, No. 240—Earthquake in Turkey. Chamberlain defies Nazis. Churchill visits France. Huge guns roar at front. Indian troops arrive in France. Finnish towns ruined by shell fire. President's birthday celebrated. Texas quads have birthday party. Aquaplaning at Miami. Ice skooters on Long Island.

PARAMOUNT NEWS, No. 45—Troops endure cold at front. Hore-Belisha leaves War Ministry. Celebrate Roosevelt's birthday. Twin controversy in New York. Skiing in New Hampshire. Bing Crosby golf tournament. Baer, Galento, Joe Jacobs discuss prize fighting.

RKO PATHE NEWS, No. 57—Birthday parties for Roosevelt. Indian troops in France. Fashions. Decorate British generals at front. Paper produced in Southern cotton mills. Golf tournament. Patrols at front.

UNIVERSAL NEWSREEL, No. 846—President's birthday ball. Women pilot planes in England. British ship sunk by Nazis. Manufacture planes in France. Honor generals at front. Ohio River freezes. Official burial for fire dog. Fashions. Golden Glove bouts in New York. Aquaplaning in Miami.

Hannock, Columbia Contract Head, Dies

Milton Hannock, 50, head of the contract department at the Columbia home office, and assistant to Rube Jackter, assistant sales manager, died Wednesday night in Miami after an illness of nine months. Because of his health, Hannock had been living in Florida for the past two months.

Hannock joined Columbia about 11 years ago, following three years with Bray Productions as office manager. His wife and a son survive.

Stone Ballet Conductor

Ralph Stone, former theatre organist in the old days on Broadway, and more recently conductor with Ziegfeld, Shubert and other producers for operettas and musical shows, has been heading the conducting staff for the Ballet at the Center Theatre.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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ONE

LAUGHTON
LEIGH
in
"SIDEWALKS OF LONDON"
OF A SWELL PICTURE!

"Charles Laughton will easily clinch his hold on American theatre-goers through his shining performance. Vivien Leigh's artistry easily matches that of Laughton as well as measuring up to the standard she set for herself as 'Scarlett O'Hara'!"—*Daily Variety*

"Vivien Leigh shows other facets of her amazing personality and skill. Charles Laughton gives his best performance to date!"
—Ralph Jordan, International News Service

"A hit picture . . . literally spiked with "good audience stuff." Splendid performances by Charles Laughton and Vivien Leigh. Audiences should take to this picture as ducks do to water!"
—Hollywood Reporter

"Now we can understand why Vivien Leigh made the 'Scarlett O'Hara' role what it was, after watching her beautiful performance in 'Sidewalks of London'!"
—Hedda Hopper, famous movie columnist

"Charles Laughton and Vivien Leigh are in top form!" *—Jay Emanuel Publications*

"The best performance of Charles Laughton's career, backed up by the fire of 'Scarlett' in Vivien Leigh's great characterization!" *—Al Kahn, United Press*

"Miss Leigh evidences that peculiar magnetism which has made her 'Scarlett' such a distinctive conquest!"
—Edwin Schallert, Los Angeles Times

CHARLES LAUGHTON and **Vivien Leigh** in **"SIDEWALKS OF LONDON"**
with **REX HARRISON** • Screen Play by Clemence Dane • Directed by Tim Whelan • Produced by ERICH POMMER
A Pommer-Laughton "Mayflower" Production • A Paramount Release

Bell and Brien Take Quigley Grand Awards

(*Continued from page 1*)

tions conducted by the Round Table, during 1939 were eligible for the final judging.

Bell, the Silver Plaque winner, won a Quarter-Master citation in the first quarter, a Quarter-Master medal in the second quarter and plaques in the third and fourth quarters. He has been a contributor to the Round Table for four years and has been one of its most active members. Although he has placed high in the finals each year, he had never won a top award.

Brien won his Bronze Plaque after receiving Quarter-Master citations in the first and third quarters and a plaque in the fourth quarter. A new member of the Round Table, this was his first year of competition.

The two Award winners will be taken to Hollywood this Spring as the guests of Quigley Publications, where they will be presented their plaques at a luncheon to be attended by ranking studio executives and personnel. The trip will include studio visits and a week of entertainment.

For the first time, entries were judged on the basis of single ideas or promotions rather than on entire campaigns as formerly. The entries judged this week were of the entrants making the best scores in the quarterly competition during the year.

Banker Gives Facts On $25,000 GN Loan

F. G. Holleran, vice-president of The National City Bank, testified yesterday before Referee Peter B. Olney, Jr. about a loan of $25,000 granted to Grand National Pictures shortly before inception of bankruptcy proceedings. Holleran was questioned on details of a mortgage given by G.N. to the bank as security for the loan.

Hollander & Bernheimer, English solicitors, were designated by Referee Olney yesterday to collect G. N. assets located in Great Britain. Examination of Earle W. Hammons, head of G. N., will continue today.

'Wind' Circuit Deal By Famous Players

M-G-M has set a deal for "Gone With the Wind" with Famous Players Canadian Corp. of Canada. It calls for runs of more than a week in about 30 situations. First opening in the circuit will be at Loew's, Montreal, in about three weeks.

The deal was closed by T. J. Connors, M-G-M division manager, with N. L. Nathanson of Famous Players. It is stipulated that advance sale of reserved seat tickets shall begin two weeks before the playdate.

Canadian premiere of the film was held last Friday night at Loew's Yonge St., Toronto.

'Wind' Record at 'Frisco

SAN FRANCISCO, Feb. 1.—First week of "Gone With the Wind" at the Warfield here grossed a record-breaking $40,500. Tickets are on sale four weeks in advance. The management expects a run of at least six weeks.

South's Cold Wave Cuts Grosses 15%; Losses Continuing

(*Continued from page 1*)

area for months to come, circuit and distribution officials pointed out.

In the Miami area alone, the estimated loss to truck gardeners was $10,000,000. For the first time in 25 years the Florida Fruit Growers Cooperative placed an embargo on shipments of truit from the state, due to frozen crops. Similar conditions extended westward as far as the fruit and vegetable areas of southern Texas and Arizona.

Unprepared for Cold Wave

Snow and ice crippled or completely halted transportation in virtually every large Southern city, presenting the greatest single handicap to theatre attendance. In smaller cities and towns, inadequate heating facilities closed some theatres for brief periods and forced others to adopt curtailed operating schedules.

The strain placed on some theatre heating systems, which were not designed for coping with outdoor temperatures below 40 degrees, caused boiler explosions and fires in a few instances. Ticket booths had to be set up indoors and smaller auditoriums resorted to electric heaters and other small heating units, according to some of the reports received in New York.

Overnight drop in temperatures was no more abrupt than the drop in boxoffice receipts, which in some large cities, notably Atlanta and New Orleans, fell off from $3,000 on one day to $500 with the same picture the next day.

Flock to Miami Theatres

Miami, however, benefited from the cold wave. Thousands who otherwise would have been at beaches, race tracks or golf links, were driven indoors and into theatres by the cold. This was true only of the Southern tip of Florida, however. Elsewhere, inadequate heating facilities eliminated theatres as refuges.

In addition to the "deep South," the Carolinas, southern Virginia, Tennessee, Arkansas and New Mexico were affected.

Tribute to Herbert By Loew Theatres

The 81st birthday anniversary of Victor Herbert, composer and founder of Ascap, was signalized yesterday in a ceremony at his statue at 71st Street and Central Park West. The observance was sponsored by Loew theatres.

Phil Regan, singer, placed a laurel wreath and spoke briefly of Herbert's contribution to the music world. Among those attending were Miss Christie MacDonald, for whom Herbert composed "Sweethearts;" Bessie Wynn, Marcella Hendricks, who appeared in his operettas; William Lally, a former associate; the Jamaica Choral Society; Oscar A. Doob, Gene Murphy and other Loew representatives, and representatives from Ascap.

Paramount's "The Great Victor Herbert" was booked into Loew theatres in New York beginning yesterday. An 82-voice chorus sang Herbert songs at the Paradise Theatre last night.

Stages Prospering In Chicago's Loop

CHICAGO, Feb. 1.—Legitimate theatres are doing well with motion picture names as the draw. The Raymond Massey starring vehicle, "Abe Lincoln in Illinois" is selling out every performance. Simone Simon, Mitzi Green, Mary Brian, Stepin Fetchit and Art Jarrett head the cast of "Three After Three" which is doing well at the Erlanger. "Thanks For My Wife," with Alan Dinehart, Glenda Farrell and Lyle Talbot, is scheduled for the Selwyn, which last week had Constance Bennett in "Easy Virtue," following John Barrymore's sensational 33 week engagement. Clifton Webb is the only non-picture star appearing in the Loop, he has the lead in "The Man Who Came to Dinner." Bill Robinson, at the Auditorium, heads the cast of the "Hot Mikado."

Van Nomikos, independent theatre circuit operator, has taken over two downstate theatres in addition to his Chicago houses. Latest additions are the Webb and Orpheum in Savannah, Ill., and the Antioch theatre in Antioch, Ill.

John Balaban, advised to rest, is spending much time at the Mayo Clinic, Rochester, Minn. He comes to Chicago over weekends only.

Review Board Hears Talks on Silent Film

Addresses relative to the theme topic, "Fifty Years of Films," featured the opening day's sessions yesterday at the Hotel Pennsylvania of the 16th annual conference of the National Board of Review of Motion Pictures.

Following the address of welcome in the morning by Dr. A. A. Brill, chairman of the National Board, the delegates discussed community motion picture activities in various sections of the country.

Discussion of the silent film in the afternoon included talks by Francis Doublier, on "Travels of a Cameraman in the 90's"; Robert Gessner, on "The Story Content of Early Films"; Norbert Lusk, on "Dominant Personalities of the Silent Screen"; Elissa Landi, "An Actress and Her Work," and Richard Griffith, "The Art of the Silent Film."

Yesterday evening the delegates attended a film course at New York University.

'Friday' at $3,900 In Oklahoma City

OKLAHOMA CITY, Feb. 1. — "His Girl Friday" at the State led here with $3,900. The weather was dry and cold.

Estimated grosses for the week ending Jan. 27:

"Balalaika" (M-G-M)
CRITERION—(1,500) (25c-35c-40c) 5 days. Gross: $3,500. (Average, $4,500)
"The Tower of London" (Univ.)
"Laugh It Off" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,300. (Average, $2,400)
"Charlie McCarthy, Detective" (Univ.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,800. (Average, $4,000)
"Destry Rides Again" (Univ.)
PLAZA—(750) (25c-35c-40c, 7 days, 3rd week. Gross: $1,200. (Average, $1,100)
"His Girl Friday" (Col.)
STATE—(1,100) (20c-25c-40c) 7 days. Gross: $3,900. (Average, $3,000)
"The Housekeeper's Daughter" (U. A.)
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $1,750)

War Throttles British Films, Avers Korda

(*Continued from page 1*)

produced on a small scale at budgets which will permit recouping costs in present limited markets. There is [illegible] or no desire to risk large amounts on big pictures. British opinion, Korda added, is that the war will last at least two years.

As a result of the situation, said Korda, directors, acting talent, technical executives and others have agreed to work for small salaries in addition to a share of the profits.

Lack of technicians and the fact that those still available are subject to immediate call prevents setting up shooting schedules. Some art directors have been sent to France to paint camouflage, and there is no telling when other workers will be called up, Korda said.

Zoltan Korda is a brother of Alexander Korda, head of London Films. Alexander Korda plans to arrive here in two or three weeks for a stay of about two months. He plans to make a film in Hollywood, possibly "Jungle Boy," which Zoltan Korda will direct. The story is based on Rudyard Kipling's "The Jungle Book."

Sabu, London Films' Indian boy star, also arrived on the *Conte di Savoia*. He is scheduled for the lead in "Jungle Boy." Before proceeding to Hollywood he will make personal appearances and will go on the radio.

Korda said that London Films is preparing to shoot "Hunting the U-Boat," a sequel to "The Lion Has Wings," which describes the exploits of the Royal Air Force. The sea film will be made with the cooperation of the Navy. Korda confirmed that his brother is giving the British Government a portion of the receipts of the air picture as it was made as an act of patriotism without thought of profiting from the war.

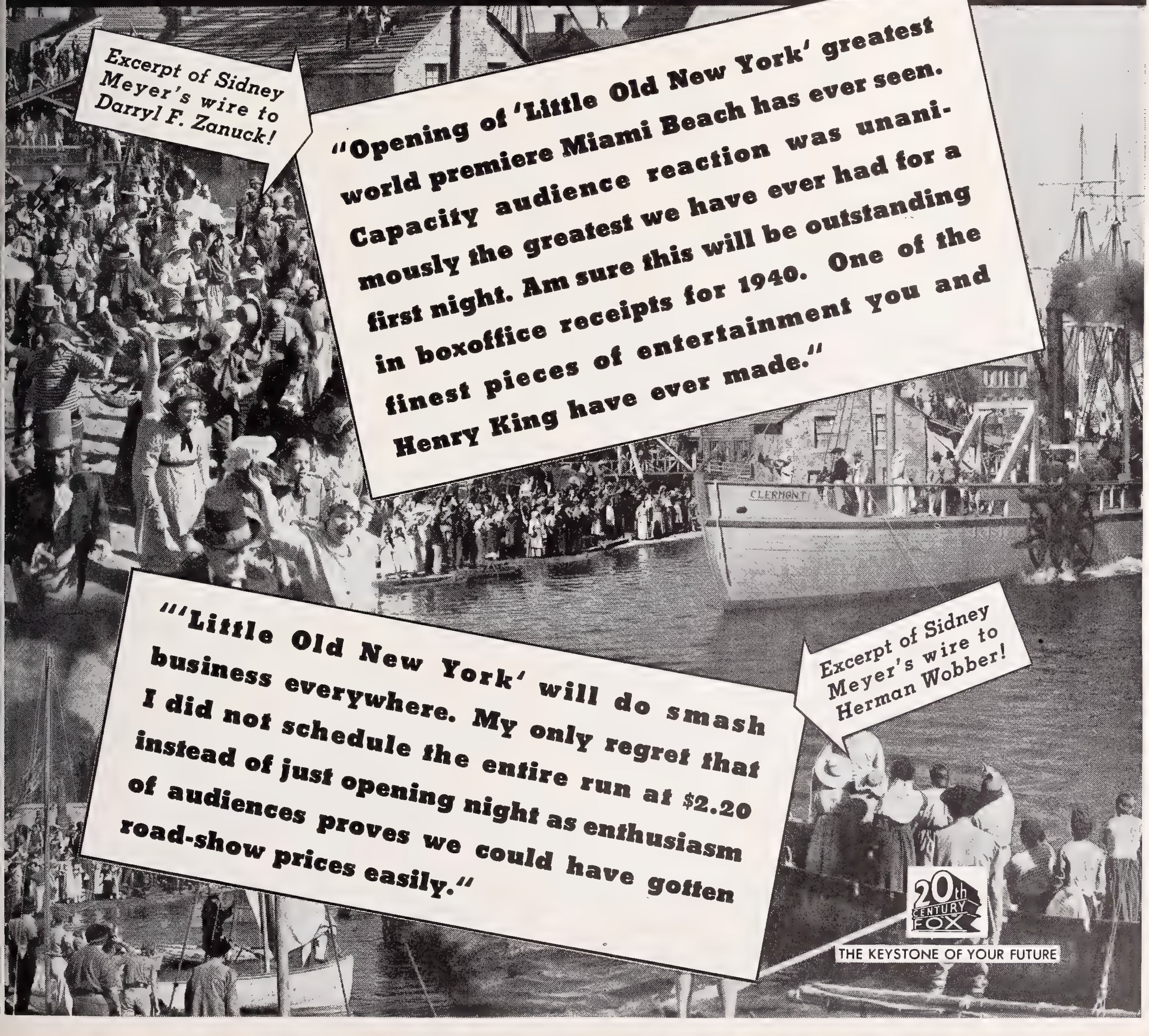
London, said Korda, is a changed city but with gayety prevailing despite the blackouts. Matinee business at film theatres is good but evening attendance is still off although early closing hour regulations have largely been removed.

Night clubs are thriving, and so are the legitimate theatres, he reported. The road has perked up for plays and many productions are on tour of military camps and the provinces. The actors are paid £5 a week (about $20) and also share in the receipts.

Old British House Is Victim of War

London, Jan. 16 (*By Mail*)—Victim of the war, of the blackout and depleted bus and tram services, Poole's Cinema, Ipswich, pioneer British picture house, and home of the first "talking film" show in Britain, has closed down. Since 1909, Poole's has carried on, with a nine-penny top, facing the modern house with a constant succession of westerns and action dramas. Now its doors are closed for good.

"LITTLE OLD NEW YORK" AT MIAMI PREMIERE HAILED AS OUTSTANDING 1940 GROSSER AND WORTHY OF ROAD-SHOW PRICES BY CIRCUIT HEAD SIDNEY MEYER



Excerpt of Sidney Meyer's wire to Darryl F. Zanuck!

"Opening of 'Little Old New York' greatest world premiere Miami Beach has ever seen. Capacity audience reaction was unanimously the greatest we have ever had for a first night. Am sure this will be outstanding in boxoffice receipts for 1940. One of the finest pieces of entertainment you and Henry King have ever made."

Excerpt of Sidney Meyer's wire to Herman Wobber!

"'Little Old New York' will do smash business everywhere. My only regret that I did not schedule the entire run at $2.20 instead of just opening night as enthusiasm of audiences proves we could have gotten road-show prices easily."

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

'Wind' Draws Big $56,500, Leads Boston

BOSTON, Feb. 1.—"Gone With the Wind" ended its two-theatre run here after five consecutive weeks at Loew's State and Orpheum. The Orpheum has continued into a sixth week, but the State ended its run. Both theatres grossed a total $56,500 for the fifth week. Estimated grosses for the week ending Jan. 24:

"The Phantom Strikes" (Mono.) 4 days
"Married Love" (RKO) 4 days
"Tropic Fury" (Universal) 4 days
"Vivacious Lady" (Columbia) 4 days
KEITH BOSTON—(3,200) (25c-35c-40c). Gross: $12,000. (Average, $8,500)
"Swanee River" (20th-Fox)
"Flying Deuces" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $21,000. (Average, $14,500)
"A Child Is Born" (W. B.)
"City of Chance" (20th-Fox)
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross, $5,000. (Average, $4,500)
"A Child Is Born" (W. B.)
"City of Chance" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross. $7,500. (Average, $7,000)
"Remember the Night" (Para.)
"Barricade" (20th-Fox)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $14,500)
"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (75c-$1.10-$1.50) 7 days, 5th week. Gross: $32,000. (Average, $14,500)
"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,000) (75c-$1.10-$1.50) 7 days, 5th week. Gross: $24,500. (Average, $11,000)
"The Great Victor Herbert" (Para.)
"Eternally Yours" (U. A.)
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross. $5,300. (Average, $4,000)

U.S. Film Exports Suffer Sharp Slump During 1939

WASHINGTON, Feb. 1.—American exports for 1939 show a decrease of 27,600,000 linear feet in positive and negative sound motion picture film, as compared with 1938, according to compilations made by Nathan D. Golden, Chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce of the Department of Commerce.

This is a decrease of 14.7 per cent during 1939. A total of 160,582,315 linear feet of entertainment films, with a declared value of $3,400,657, was exported during all of 1939 as compared with 188,237,129 linear feet, valued at $4,268,818. Valuation figures should not be confused with film remittances. Valuation is based upon raw stock film costs.

Brazil replaced the United Kingdom as the largest consumer of American films in point of footage during 1939, importing 14,119,038 linear feet of positive and negative film with a value of $268,065, compared with 13,078,753 linear feet, valued at $255,953, in 1938. Argentina follows closely with 13,588,743 feet of American film with a value of $227,433 for the 12 months of 1939 as compared with 14,307,290 feet, valued at $242,263, during 1938. Mexico, as in 1938, remains in third position. During 1939, 8,785,001 linear feet of film valued at $245,252 were exported to Mexico, as compared with 9,091,383 feet, valued at $265,884, during 1938.

United Kingdom's imports of positive and negative motion pictures from the United States during 1939 show more than a 50 per cent decrease which reflects itself primarily in positive imports since negative imports show an increase. During 1939, 6,692,205 linear feet of positive film were exported to the United Kingdom with a value of $149,838, as compared with 14,359,042 feet valued at $380,040 during 1939. Negative film for 1939 increased by 500,000 feet, there being shipped 1,923,884 feet of negative film valued at $71,108 as compared with 1,407,974 feet valued at $54,892 for the year 1938.

The British West Indies remains in fifth position. During 1939 6,641,000 feet of American films, valued at $11,054 were taken as compared with 7,582,128 feet valued at $17,404 in 1938.

Exports of sensitized not exposed 35 mm. positive film for the year 1939 totaled 110,135,120 linear feet, valued at $941,817, as compared with 132,573,556 feet valued at $1,238,184 for 1938. Unexposed negative film exports of 35 mm. totaled 48,835,467 linear feet, valued at $1,281,579, compared with 41,034,667 linear feet valued at $1,086,493 for 1938. American exports of sensitized not exposed positive film of less than one inch amounted to 11,199,579 linear feet, valued at $109,309 during 1939, and sensitized not exposed negative films of the same size amounted to 36,730,467 linear feet valued at $891,040.

All types of motion picture equipment exports show a marked decline during 1939, according to Golden. During the 12 months of 1939, 155 motion picture cameras of 35 mm. gauge were exported with a value of $65,163, as compared with 197 35 mm. cameras valued at $108,445 for the year 1938. Projector exports of 35 mm. gauge during 1939 totaled 1,121 with a value of $367,256, as against 1,070 standard gauge projectors, valued at $382,729 during 1938.

Recording sound equipment exports for the year 1939 amounted to $217,060 as compared with $283,139 in 1938. Sound reproducing equipment exports for 1939 were valued at $936,236 as against $1,340,438 in 1938.

WOLF OF NEW YORK
"You call yourself a lawyer, but you're as big a criminal as any you've ever defended."
A Republic PICTURE
EDMUND LOWE · ROSE HOBART
JAMES STEPHENSON · WILLIAM DEMAREST
ANDREW TOMBES · BEN WELDEN

Michigan Exhibitors Explain Neely Stand

DETROIT, Feb. 1.—Members of Co-Operative Theatres of Michigan, buying and booking organization representing 100 independent exhibitors, are opposed to the Neely bill because it would bring no benefit and, if passed, would jeopardize their investments.

A statement to this effect was issued here today by the board of directors, who earlier this week went on record as opposed to the Neely bill.

The directors suggest a Federal law which would make it mandatory that all disputes over contractual matters, overbuying, clearance and others be submitted to a local arbitration board. It urges that the industry take steps to set up such machinery.

U.S. Impasse With Majors In Trust Case

(*Continued from page 1*)

preliminary steps, attorneys charged.

The Federal anti-trust division, attorneys claimed, backed down o[illegible] promise not to prosecute local a[illegible]trust suits until the major action had been decided. Attorneys also contend that the Government cracked down on the majors in asking for oral examinations of top officials.

Government officials yesterday refused to comment on the significance of its application. It was intimated that the majors had gone farther in their requests for information as to witnesses and details of the charges than the Government had anticipated.

The twelve objections raised by the Government are identical to those interposed against Columbia. Claim is made that the interrogatories are too numerous and burdensome to answer. The motion also states that they are immaterial and call for expressions of opinion and statements of the Government's contentions rather than facts.

In addition, the Government contends that they are too broad in scope and by their nature would limit the Government's evidence. Some of the interrogatories ask for hearsay evidence and all of them violate the Federal Rules, the notice concludes.

United Artists has already reached an agreement with the Government on interrogatories and is not affected by the move. Universal has never interposed interrogatories in the suit but plans to do so in the near future.

Buffalo's Blizzard Damages Grosses

BUFFALO, Feb. 1.—Buffalo's 10-day blizzard which tied up traffic and kept theatre-goers close to the fireside seriously damaged grosses.

Estimated takings for the week ending Jan. 27:

"He Married His Wife" (20th-Fox)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Paul Whiteman and band on stage. Gross: $13,600. (Average, $12,000)
"The Earl of Chicago" (M-G-M)
"Emergency Squad" (Para.)
GREAT LAKES—(3,000) (30c-50c) 5 days. Gross: $5,200. (Average, $7,500)
"Congo Maisie" (M-G-M)
"Bad Little Angel" (M-G-M)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $6,100. (Average, $6,800)
"A Child Is Born" (W. B.)
"Smashing the Money Ring" (W. B.)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $7,300. (Average, $6,800)
"Goose Step" (Prod. Dist.)
"Two Bright Boys" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $5,800. (Average, $6,300)

Leads Monogram Drive

At the end of the first week of the Monogram Playdate Drive, the Charlotte exchange is in first place, according to general sales manager Edward A. Golden. New Orleans is second and Oklahoma City third. The drive ends March 30.

Closes with Alliance

W. Lee Norris, head of the Norris Distributing Co., Kansas City, has signed with Alliance Films for the distribution in that city of the latter's 12 features and two short subjects.

WORLD-WIDE SUPREMACY

NINE out of the Ten Best Pictures chosen in the *Film Daily's* 1939 critics' poll were made on Eastman Negative Films. Two of the Ten Best Pictures were made in England, and both were on Eastman—striking evidence of the world-wide recognition of this film's excellence. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

NINE OF THE "TEN BEST" ON EASTMAN NEGATIVE

Radio Brevities

$1,000,000 in BM Licenses

MORE than $1,000,000 in license fees collected by Broadcast Music, Inc., will be made available to BM next Wednesday when the board of directors is expected to announce that the new company is officially in business. The funds are now held in trust.

Under the terms of the contracts, the licensing arrangement becomes effective April 1. Blanket licenses for stations have been adopted because Ascap uses that type of agreement, but BM prefers separate licenses for each musical composition and will eventually get around to it, according to Sidney M. Kaye, its counsel.

CBC Programs Up 45%

During 1939, *the Canadian Broadcasting Corp. presented* 18,810 *programs, occupying* 7,000 *hours, the annual CBC report reveals. The total represents an increase of* 43 *per cent in the number of hours and* 45 *per cent in the number of programs. The net operating surplus was* $357,454 *from a gross income of* $3,311,440 *derived from receiving set licenses and sale of time to sponsors.*

Best CBS Month

CBS started 1940 with the best month in its history. Gross billings for January were $3,588,989, a rise of 34.2 per cent over the same month last year when $2,674,057 was grossed. January's billings were 1.7 per cent ahead of December, when the billings were $3,529,154.

Personalities in the News

John F. Royal, NBC vice-president in charge of programs, returned from the Coast yesterday after making a survey of programs while there. . . . Edward R. Murrow, chief European correspondent for CBS, is confined to a London hospital with influenza. . . . Jules Bundgus, of the Benton & Bowles publicity staff, has been transferred to the Hollywood office.

Radio Editors Quiz McNutt

Radio editors and commentators had an opportunity to question Paul V. McNutt at a cocktail party at the Hotel Lexington yesterday. The McNutt-for-President Campaign Committee invited the newsmen in, and the boys fired the questions.

Propaganda and Television Studied

Analysis of propaganda on the air and the technic of television programming will be new features introduced into the radio broadcasting course at the College of the City of New York when the second semester starts Feb. 13.

Guest lecturers scheduled to appear include Victor Ratner, CBS director of sales promotion; Davidson Taylor, CBS assistant to the vice-president in charge of broadcasts; J. Harrison Hartley, assistant director of NBC special events; J. R. Poppele, WOR chief engineer; Edward Padula, director in the NBC television department; and Norton Cotterill, World Broadcasting vice-president.

Gets NBC Trade Press Post

Jack Miles, who has been with the NBC press department for six years, was named trade press editor for the network yesterday.

Mutual Programs on FM

When WOR opens its new frequency modulation station next month, the FM station will use Mutual programs instead of WOR's. The effect of this method will be to provide a check-up on audiences. A number of Mutual programs are not carried by WOR and any audience reactions to such shows will be directly attributable to the FM outlet.

Television History! Schenectady Hails Relay of 130 Miles

(*Continued from page* 1)

been received at the Helderberg relay station before in tests, today was the first time such programs were rebroadcast for the entertainment of persons in the area served by the local station. Both image and voice were considered excellent by members of the Commission, equally as good as programs originating in the local studio.

So far as known, this is the first time a television program has actually been rebroadcast over any such distance and from a point 7,000 feet below the line of sight.

Members of the Commission who viewed the program were Chairman James Lawrence Fly, Commissioners Paul A. Walker and Thad H. Brown, and Secretary T. J. Slowie. With them were Dr. L. P. Wheeler, W. H. Bauer and G. O. Gillingham of their staff.

Among those in the General Electric group accompanying the commissioners on their inspection of the G. E. television facilities were Dr. W. R. G. Baker, manager of radio and television; Chester H. Lang, manager of radio and advertising; Dr. E. F. W. Alexanderson, radio expert and scientist; C. A. Priest, chief transmitter engineer, and W. J. Purcell, engineer of broadcasting Station WGY.

With today's visit by the Commission, G. E. announced the completion of its new television relay station, located one and one-half miles from the main transmitter atop the Helderberg Mountains. By the use of the new relaying equipment, television broadcasts from New York City will become available to capital district residents within range of the company's Station W2XB.

3 WOR Salesmen Hit $1,000,000 Mark

One million dollars' worth of radio time was sold by three WOR salesmen during 1939, it was announced yesterday by Eugene S. Thomas, sales manager, who disclosed that time sales were 15 per cent ahead of last year.

The $1,000,000 mark, after discounts for local time, was achieved by Theodore W. Herbert, Otis P. Williams and Robert A. Catherwood. The only other WOR salesman to hit the $1,000,000 mark is George A. Schmidt who did it in 1938.

WOR *is happy to present*

the news that 26 of America's greatest network advertisers used WOR to supplement their network broadcasts in Greater-New York during the year 1939★

★This is an increase of 37% over 1938 and an increase of 116% over 1935. Incidentally, some sponsors used more than one WOR show to supplement their network broadcasts.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]. 47. NO. 26 NEW YORK, U. S. A., MONDAY, FEBRUARY 5, 1940 TEN CENTS

Foreign Films Suffering 25% Loss in Gross

War Raises U. S. Dislike For Alien Product

Grosses on foreign films in this country are off from 25 to 30 per cent, due to a decreasing interest by Americans in this type of product, according to distributors of foreign pictures.

About 175 theatres in the United States show foreign films on a full-time or part-time basis. Distributors say that the European war has had the effect of making Americans more patriotic, and that the "buy American" movement has spread to film entertainment. Furthermore, there has been no consistently good foreign product in the last few months, according to the sales offices.

A few foreign film houses have turned to American films, and more are expected to do so as the lack of films from abroad makes itself felt. So far, according to the distributors, there has been no dearth of product as the films currently being released were made a year ago.

About 25 French pictures which were started before the outbreak of war are awaiting completion or editing. Five or six of these are believed

(*Continued on page* 6)

Amkino Dissolves; Market Shattered

Amkino Corp., Russian film distributor, is liquidating and will close its offices within the next few days. Drop in popularity of Russian films since the war with Finland has drastically reduced the company's revenue.

Decision to discontinue was made by the company's board of directors Friday, presumably on orders from the central film committee in Moscow, under which Amkino has been operating.

Amkino has been in business 13 years as the distributor of Soviet film in North and South America. It has also acted as purchasing agent for pictures, raw stock and equipment for the Russian film industry.

Dimitri Vassilieff, who has been president of Amkino, returned to Russia last month after a stay of about two years in New York. Nicola Napoli, treasurer and manager, said no decision has been made regarding films on hand and that he has no plans for the future.

Loew's 12-Weeks' Profit—$1,393,456

Loew's net profit for the 12 weeks ended Nov. 23 last, after subsidiaries' preferred dividends, was $1,393,456 as compared with $2,979,943 the previous year.

Earnings per share on preferred was $10.19, and 71 cents per average share on the common. These figures are subject to the year-end audit.

Warners Welcome Outside Producers As New Precedent

CHICAGO, Feb. 4.—Warners are open to negotiations with leading outside producers, said Jack L. Warner, vice-president in charge of production, in commenting here on the releasing deal recently closed with Frank Capra and Robert Riskin. This is a departure for the company.

"Other outstanding producers will find it to their advantage to use the channels of Warner Bros. for production, the thoroughness of our distribution and our merchandiisng skill in presenting their pictures to the public," said Warner.

"This, however, means no slackening in pace of our own producing organization which is definitely committed to negatives ranging in cost from $350,000 to $2,500,000."

Warner is attending the company's

(*Continued on page* 5)

AGREE ON QUERIES; COHN QUIZ TODAY

Bondy Denies Columbia's Plea; U. S. to Examine Other Trade Chiefs

Examination of Columbia's top executives by Government attorneys in connection with the New York anti-trust suit will begin today with Harry Cohn, president, scheduled to be the first to be questioned.

Federal Judge Bondy on Friday denied Columbia's motion to vacate the Government's notice of examination in respect to Jack Cohn, vice-president, and Abe Montague, general sales manager. The court said it understood Harry Cohn was on his way to New York and said that in that case he should submit to examination here. Otherwise, the court held, the Government should examine Cohn in California.

The decision has possibilities of establishing a precedent for the examinations of other companies' West Coast executives, or such of them as cannot be spared from their work there.

Attorneys for most companies indicated, however, that they would not oppose the Government's plan to examine executives, as Columbia did, and preferred to have the examinations take place here, rather than to disrupt their legal staffs at this time by sending delegations of attorneys to

(*Continued on page* 5)

Government and Majors End Dispute on Trust Suit Interrogatories

A new agreement on the consolidated interrogatories of major company defendants in the Government's New York anti-trust suit was reached with Department of Justice representatives during weekend negotiations.

Under the agreement, defendant companies will revise their consolidated list of queries to meet the objections which the Government raised against the original list last Thursday. This involves the elimination of a few questions and the modification or alteration of a number of others.

When the indicated work has been completed the list will be submitted again to Department of Justice officials and, if accepted the Government will have until March 1 to prepare its answers. If the new list of interrogatories is rejected, the issue will be argued before Judge Henry W. Goddard tomorrow.

Regardless of the outcome, United Artists is assured of receiving answers to its separate list of interrogatories, as this has been promised it already by the Government. However, if the new consolidated list from the other defendants is accepted by the Department of Justice for answering,

(*Continued on page* 5)

Unions End Television Fight; Major Split Threatens 4-A's

Contracts settling the television jurisdictional dispute between the three branches of the Associated Actors and Artistes of America were signed over the weekend and negotiations with the networks are due to start within 10 days.

Control for a temporary period of six months is vested in a five-man board. Actors Equity, Screen Actors Guild, American Federation of Radio Artists and Chorus Equity will designate one member each and these four will select a fifth. Addition of a Chorus Equity member was designed to equalize the balance of power between Equity and S. A. G. and A. F. R. A.

Members of any 4-A union will be eligible to work in television. The

(*Continued on page* 5)

A serious split among the branches of Associated Actors and Artistes of America loomed over the weekend with threats of secession being made by the Screen Actors Guild.

Emily Holt, American Federation of Radio Artists, and her assistant, George Heller, rushed to the Coast by plane to attend an S. A. G. board meeting tonight. Paul Dullzell, executive secretary of Actors Equity, was due to accompany Mrs. Holt and Heller but was forced to cancel his trip at the last moment.

Although the secession threat is not likely to be consummated, it reflects the grave nature of the present dispute. S. A. G. is incensed over the delay in forming "one big union" and the handling of the affairs of the

(*Continued on page* 5)

Arguments Close In Nashville Case

NASHVILLE, TENN., Feb. 4.—A battery of counsel yesterday closed argument in U. S. District Court in an effort to have the government file a bill of particulars and clarify a bill of complaint charging the Crescent Amusement Co. and others, with violating the Sherman anti-trust act.

Motions are now before the court in which counsel for the amusement company, its affiliated or controlled

(*Continued on page* 5)

Hebert to Exploit Fleischer's Next

MIAMI, Feb. 4.—William Hebert, former advertising and publicity director for Selznick-International, has been signed to handle special exploitation on the next Fleischer Studio feature length cartoon.

The deal was set by Robert Gillham, Paramount advertising and pub-

(*Continued on page* 5)

◂ Purely Personal ▸

JAMES R. GRAINGER, Republic president, returns today from sales meetings in the Midwest.

•

LLOYD LIND, manager of the contract department at Monogram's home office, and MRS. LIND are the parents of a girl, NANCY LORINDA, six pounds and 12 ounces, born Thursday night at the Harkness Pavillion, Medical Center.

•

MORRIS WOLF, counsel for the Warner Bros. circuit in Philadelphia, has been appointed a member of the advisory committee of the United Charities Campaign in Philadelphia.

•

GEORGE P. AARONS for the 22nd time has been reelected secretary-counsel for the United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware.

•

MR. AND MRS. AARON FISHMAN of the Community, Fairfield, Conn., will join DR. J. B. and ABE FISHMAN of Fishman Theatres, New Haven, at Miami Beach later this month.

•

SIDNEY FREIDBERG, of the law firm of Phillips & Nizer, has become engaged to BERNICE ROCKER. A reception will be held Feb. 22.

•

TYRONE POWER, ANNABELLA, BRENDA JOYCE and JANE DARWELL, 20th Century-Fox players, left for the Coast over the weekend.

•

CHARLES ROBERTS, Columbia home office supervisor for Latin America, was married last week in Mexico City to Margara Ruiz of that city.

•

WALTER LAMBADER, M-G-M booker in Kansas City, and VIRGINIA ZEIGLER, assistant cashier there, were married yesterday.

•

COL. H. A. COLE, president of Allied States, returned to Dallas over the weekend.

•

GEORGE SCANLON of the DuPont Film Company has returned from a trip to Mexico City.

•

SAM KATZ, M-G-M production executive, arrived Friday from the studio for a two-week vacation.

•

BRUNO GRANICHSTAEDTEN, Viennese composer of "White Horse Inn," is here from Europe.

•

HAROLD MARSHALL, Indianapolis publicity representative for M-G-M, has a birthday today.

•

GEORGE DEMBOW, general sales manager of National Screen Service, is on the Coast.

•

FORREST TUCKER, six foot four Goldwyn star, is visiting in the city.

WANTED
SCRATCHED FILMS
You can get extra revenue out of your prints by having us restore your scratched film to practically new condition. Telephone CO 5-6767 for our low prices.
AMERICAN RECONO, INC.
245 WEST 55th ST., NEW YORK, N. Y.
Negative-Positive-Technicolor Film Rejuvenated

New York Review

"Dr. Ehrlich's Magic Bullet"

(Warners)

In the fine tradition of "The Story of Louis Pasteur," Warners have fashioned "Dr. Ehrlich's Magic Bullet," the record of an equally great medical scientist. There is no question that it is splendid entertainment.

The film's production quality, the drama of Dr. Ehrlich's fight against disease are presented with the utmost use of screen technique.

Of necessity, the film's story concentrates upon the activity of Dr. Ehrlich. In that exacting role is Edward G. Robinson. Everything that he has done in the past must be forgotten, so perfectly has Robinson become the assiduous scientist, Ehrlich. His performance is true and sincere, one which must be accorded a high place in the annals of motion picture portraiture.

The supporting cast is of a high order. Ruth Gordon is splendid as the loyal and devoted Mrs. Ehrlich. Otto Kruger is fine as Robinson's friend and fellow-scientist, as are Donald Meek, supplying a small bit of humor; Maria Ouspenskaya as the wealthy Mrs. Speyer, who aids Dr. Ehrlich with funds; Albert Basserman, as the great Dr. Robert Koch, who starts Ehrlich on the way to scientific fame.

Forced to quit his hospital for infractions of regimental discipline which he abhors, Ehrlich tries private practice but it proves unsuccessful. He meets Kruger, aide of Dr. Koch, and through his suggestion for the dyeing of disease bacteria to enable their ready identification, he is appointed to Koch's staff. Contracting tuberculosis while working on the disease, he goes to Egypt. There he accidentally discovers the basic principle of imparted immunization. His dream is the development of what he calls "magic bullets," or chemical compounds which will act in the prevention or cure of disease.

From that point his life is devoted to the preparation of immunization. Fame comes when he stems a diptheria epidemic with his injections. He then turns to the pursuit of a cure for syphilis. He continues his work despite rebuffs, a break with Kruger and the inability to raise funds.

Eventually, after hundreds of tests, he develops the famed "606," an arsenic compound which is a specific for syphilis. Unwillingly, he releases it, and when several deaths occur, newspapers charge him with murder. He defends his specific in a libel action and with Kruger's timely aid wins the case. Dr. Ehrlich dies shortly afterwards secure in his place as one of the great benefactors of mankind.

Production honors belong to Jack L. Warner, in charge of production; Hal B. Wallis, executive producer; William Dieterle, director; Wolfgang Reinhardt, associate producer; John Huston, Heinz Herald and Norman Burnside, writers of the screenplay.

Running time, 103 minutes. "G." CHARLES S. AARONSON

---

*"G" denotes general classification.

'Wind' Sets Records; It's Same Old Story!

Continuing to break records, "Gone With the Wind" exceeded the previous highest gross at each of the 25 houses where the film opened a week ago, according to M-G-M. In some of the situations it grossed four or five times the normal business.

In its first week in Chicago, the picture took $48,000 at the Oriental and $16,000 for the two-a-day showing at the Woods. The first week in Detroit resulted in $36,000 at the United Artists and $23,000 at the Wilson.

A total of more than 300 bookings have been set in about 280 cities.

702 Gets Pathe Contract

Laboratory Technicians Union, Local 702, reported over the weekend that it had signed a closed shop contract for laboratory workers employed in the 45th St. plant of Pathe Film Co. The contract provides for one week's paid vacation, wage increases ranging from 10 to 25 per cent, six paid holidays and time and a half for overtime, according to the union.

Hays to Hollywood Producers' Parley

Will H. Hays will arrive in Hollywood today to attend the annual meeting of the M. P. Producers Association scheduled tonight.

After several weeks' vacation at his Hidden Valley ranch, Hays will return to New York for the annual meeting of the M. P. P. D. A. on March 13.

Hammons Testifies

Examination of Earle W. Hammons, former head of Grand National Pictures, will continue on Feb. 15. Hammons testified on Friday concerning a loan of $9,000 made to the company on Feb. 3, 1939 by his mother, Sally Hammons. Educational Pictures assumed a balance of $6,000 liability on this loan before G. N. was declared a bankrupt, Hammons said.

Film's 1,000th Showing

"Harvest," prize-winning French film, on Saturday had the 1,000th performance of its record-breaking run at the World.

Judell Firm Fights Bankruptcy Threat

HOLLYWOOD, Feb. 4.—Creditors of Producers Pictures Corp. met late last week to plan the conservation of the company's assets in order to stave off possible bankruptcy.

Robert Benjamin, attorney representing Pathe Laboratories which holds secured first lien on seven productions which Ben Judell made, called the creditors together and [illegible] them that Pathe would not foreclose, but would do all in its power to liquidate the films in an effort to pay off all indebtedness of the corporation.

Appointed to the creditors' committee were Gus Barth, Agfa official here; A. J. Gursey, International Studio Equipment Co., and Adolph Fleischman, Cinema Props Co.

Total indebtedness of the corporation is $125,000, of which $4,500 is owed for labor wages and materials. The company has virtually no assets other than pictures.

Benjamin is reported in New York conferring with Pathe officials. He will return in two weeks. In the meanwhile Harry Rathner, Eastern representative of Judell, is here studying possibilities of revamping the corporation in order to continue production.

Manager Kupper's Sales Month Starts

William Kupper's Month starts today, the first of three months honoring 20th Century-Fox division managers in revenue campaigns in their division. Kupper is Western division manager.

March is designated for W. C. Gehring, Central division head, and April for William Sussman, Eastern division manager.

Quigley on 2-Week Trip to Hollywood

Martin Quigley, head of Quigley Publications, left for Hollywood yesterday. He will remain on the Coast for about two weeks, stopping over en route for two days at Chicago.

Lloyd Film for RKO

Harold Lloyd's first production for RKO will be "Three Girls and a Gob," an original by Grover Jones. Lloyd will produce the picture but not act in it.

MOTION PICTURE
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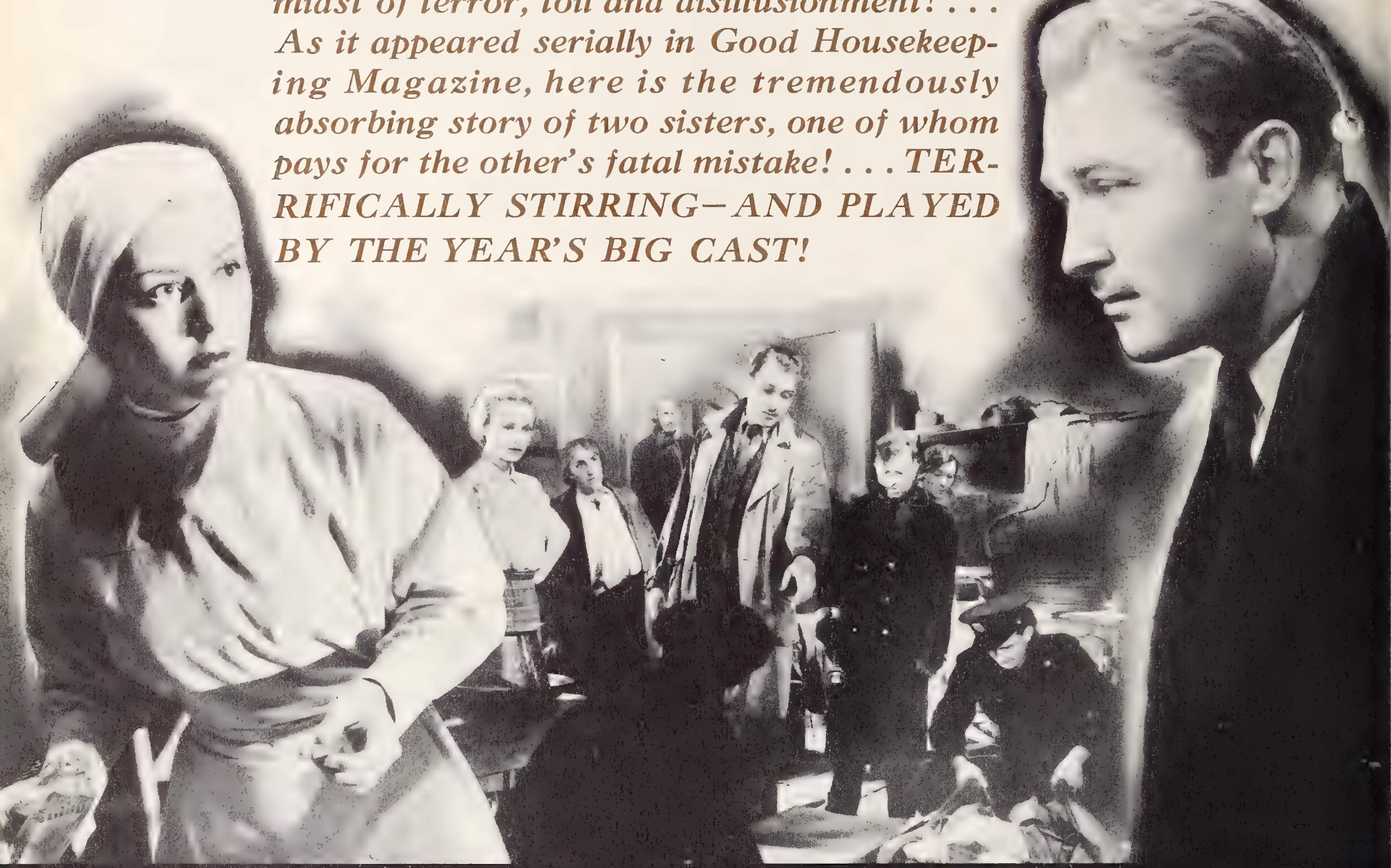
The Author of
"The Citadel"
Reveals

The Intimate Secrets Of a Private Nurse

The man who gave the world its first inside drama of the medical profession now turns his pen of fire on the world of the nurse . . . of those cloistered women who know men too well, yet must somehow find love in the midst of terror, toil and disillusionment! . . . As it appeared serially in Good Housekeeping Magazine, here is the tremendously absorbing story of two sisters, one of whom pays for the other's fatal mistake! . . . TERRIFICALLY STIRRING—AND PLAYED BY THE YEAR'S BIG CAST!



CAROLE LOMBARD **BRIAN AHERNE** **ANNE SHIRLEY**

"VIGIL IN THE NIGHT"

From the New Best-Seller by **A. J. CRONIN**

with **JULIEN MITCHELL · ROBERT COOTE · BRENDA FORBES · PETER CUSHING**

Produced and Directed by the man who made 'Gunga Din' **GEORGE STEVENS**

PANDRO S. BERMAN In Charge of Production · **RKO RADIO PICTURE**

Screen Play by Fred Guiol . . . P. J. Wolfson . . . Rowland Leigh

RKO RADIO PICTURES

Trailer-Made Gives Accounts to N.S.S.

Trailer-Made, Inc., is turning over all its accounts to National Screen Service for liquidation. Existing contracts with exhibitors will be serviced by National Screen on the prevailing terms of the Trailer-Made contracts until they expire.

Saul E. Rogers, attorney for Trailer-Made, said that the company found [illegible] unprofitable to operate with the type of trailers it made due to an insufficient number of accounts. It is understood Trailer-Made had about 1,100 customers. The contracts expire within a year.

National Screen will service the accounts with its regular sound trailers.

Trailer-Made entered the field two years ago. The company is headed by I. Schwartz. The same group sold Ad-Vance Trailer to National Screen several years ago.

Arguments Close In Nashville Case

(*Continued from page 1*)

theaters in five Southern states, and leading motion picture producers, have asked for a clarification of the plaintiff's bill of complaint and for filing of a bill of particulars.

Late Friday afternoon, Louis D. Frohlich, of New York, representing Columbia Pictures, United Artists and Universal, charged "The government has tried to bring this case within the four corners of the interstate case, only it didn't have the evidence."

George H. Armistead, Jr., Nashville attorney representing the Crescent Company, headed a vigorous attack on the bill of complaint filed by the government. Charging the allegations were "vague, confusing, and self-conradictory," Armistead insisted the court should require clarification of the plaintiff's bill so the defendants could prepare an adequate answer.

Armistead also insisted that allegations by the government about "predatory practices" by the Crescent Company, through holding of bank nights and reduction of admission prices, did not constitute inter-state violations. He said these actions, purely local in character, were not subject to federal jurisdiction, and therefore that it has "no part in the lawsuit."

Hebert to Exploit Fleischer's Next

(*Continued from page 1*)

licity director, under whom Hebert will work.

Hebert, who is now in Hollywood, will divide his time between this city and the West Coast. He recently completed a special exploitation assignment for M-G-M on "Gone With the Wind."

Fleischer's next feature length cartoon has not been definitely set yet, but several stories are under consideration. A decision will be made in the near future.

Milton Hannock Buried

Funeral services for Milton Hannock, head of the contract department at Columbia's home office, were held yesterday at the Riverside Memorial Chapel. Hannock died Wednesday in Miami after an illness of nine months.

Notes From Hollywood

Hollywood, Feb. 4.—Joan Crawford and Fredric March start work shortly in M-G-M's "Susan and God." George Cukor will direct. Ruth Hussey has a featured role. . . . Charles Brackett and Billy Wilder have been assigned as writers on Paramount's "The Polonaise," original by Brian Marlowe and Thomas Monroe, of Warsaw during the Nazi siege. . . . Harry Sherman will have as one of his western "specials" "The Round-Up," and Harold Shumate has been signed to write the screenplay from the Edmund Day play which was a Broadway success. . . . Clarence Brown, upon completing "Edison, the Man" at M-G-M, will start preparations on a story depicting the life of Elihu Yale, for whom the University was named. Spencer Tracy may star in it.

Wally Ford boarded a train in Los Angeles the other day, bound for New York, and got off at Pasadena as M-G-M paged him for a fat role in "Two Girls on Broadway." . . . Edward Ashley, young English stage-screen actor, gets his first M-G-M role in "Pride and Prejudice." . . . 20th Century-Fox has signed Marguerite Chapman, New York model, to a term contract. . . . Lawrence Stallings is writing the script for "Witch of the Wilderness," at M-G-M. . . . The same studio has set Maria Ouspenskaya for a role in "Waterloo Bridge." . . . Lucille Ball and James Ellison will be co-starred in "The Romantic Mr. Hinklin" at RKO.

Scott R. Dunlap, Monogram production head, has returned to his office after a siege of the flu. . . . "Chamber of Horrors" has been set as the next in the series of Boris Karloff horror stories at Monogram. . . . Paul Jones will bring Dr. Abram Leiberman, noted Viennese gland specialist, and fugitive from Austria, to Hollywood from New York for technical direction of "The Man in Half Moon Street," which Jones will produce for Paramount. . . . Mary Boland goes into M-G-M's "Pride and Prejudice." . . . The "Hopalong Cassidy?" stories Harry Sherman produces for Paramount will be revamped to include the comic antics of El Brendel, recently signed. . . . Louise Stanley will play opposite Jack Randall in Monogram's "The Cheyenne Kid." . . . Paramount has signed Leila Ernst, society girl who appeared in the George Abbott hit, "Too Many Girls." . . . She will make her film debut in the sequel to "What a Life."

Paramount has purchased "Arise My Love," original story by Benjamin Glazer and John Szekely, for Claudette Colbert. It is a comedy set in France at the outset of the current war, with Miss Colbert enacting the role of a newspaper correspondent falling in love with an American soldier of fortune who fought in Spain with the Abraham Lincoln Brigade. . . . Bradley King has been signed by Fine Arts to a term writing contract.

Rodgers to Attend 'Edison' Premiere

William F. Rodgers, M-G-M general sales manager, will head a home office delegation attending a three-theatre premiere of "Young Tom Edison" in Port Huron, Mich., Feb. 10. Rodgers will leave Wednesday night. After the opening he will proceed to the studio for conferences.

Louis B. Mayer, in charge of production; Edward M. Saunders, Western-division manager; Howard Dietz, advertising and publicity director, and Howard Strickling, studio publicity head, also will attend. Mickey Rooney, now in New York, will travel West with the M-G-M delegation and will be guest of honor at the festivities.

The openings will take place at the Family, Majestic and Desmond Theatres. Ted Fio Rito and his band have been booked for a supplementary stage show at the Desmond. The evening's activities will end with a ball.

There will be a day of celebration leading up to the premieres, a feature of which will be a run of Henry Ford's "Edison train" from Detroit to Port Huron.

Telvision Control Settled by Unions

(*Continued from page 1*)

committee is not permitted to set wage and hour standards without approval of the executive boards of the four branches, but to prevent delay, all boards must approve or disapprove within one week after the committee makes its recommendations.

The six-month period may be extended later by agreement and it was agreed that all branches reserved their rights to assert claims for exclusive jurisdiction over television after the six months.

Threat of Big Split Hovers Over 4-A's

(*Continued from page 1*)

newest affiliate, American Guild of Variety Artists.

Kenneth Thomson, S. A. G. executive secretary, will report to his board tonight on A. G. V. A. conditions and is expected to make known his decision on taking over a temporary executive post in the vaudeville branch.

S. A. G. insists that the 4-A reorganization should be started forthwith while other branches believe that the report of Bernard Reis, accountant, should be studied first. The Reis report is due Feb. 15.

I. T. O. Coast Parley Planned in Spring

Los Angeles, Feb. 4.—Trustees of the Pacific Coast Conference of Independent Theatre Owners will meet Feb. 6 and 7 at the Ambassador Hotel here to plan for the first annual convention of the organization. The parley will be held this Spring.

Attending from Washington state will be L. O. Lukan and William Ripley; from Oregon, Robert White and A. West Johnson; from northern California, Rotus Harvey and Ben Levin, and from Los Angeles, Hugh Bruen, Jack Y. Berman and Robert Poole, the latter executive secretary of the organization.

Warners Welcome Outside Producers

(*Continued from page 1*)

mid-season sales conference which started here yesterday and ends tonight. He will proceed to the coast on Tuesday.

Norman Moray, shorts subject sales manager, will leave from here on a tour of 22 exchanges and then will confer at the studio on next season's program, returning to New York April 15.

Delegates attending the meeting will leave tomorrow night. Home office executives headed by Gradwell L. Sears, general sales manager, who is presiding, and S. Charles Einfeld, advertising and publicity director, will return to New York Wednesday.

Warners Announces Publicity Staff Promotions

Chicago, Feb. 4.—Promotions in the Warner field publicity staff were announced by S. Charles Einfeld, advertising and publicity director, at the company's sales meeting here.

Changes are: Sam Clark, Midwest representative at Chicago, promoted to the West Coast at Los Angeles. Fred Bartow, formerly with M-G-M for 10 years, succeeds Clark.

Dick Hyland, Dallas representative, is transferred to the Washington, D. C., territory. Bill Lewis replaces him.

Cameron Shipp, Atlanta representative, is transferred to the studio publicity department and is replaced by Jack Goldsmith of the home office press book department. Milton Skolsky has joined the press book department.

Cohn Under U. S. Trust Quiz Today

(*Continued from page 1*)

the Coast to sit in at the examinations.

Examinations of Jack Cohn and Abe Montague will follow that of Harry Cohn. On Feb. 12 or 13, Government attorneys are scheduled to begin examination of Nate J. Blumberg, Universal president; William A. Scully, vice-president and general sales manager, and Charles R. Rogers, former production executive for Universal, who is now producing independently.

Examinations of other company officials are scheduled to take place at one week intervals up to April 1.

Majors, U. S. Agree Upon Trust Queries

(*Continued from page 1*)

United Artists will waive its right to a separate answer.

Columbia has declined to join in the consolidated interrogatories with the other defendants and the Government retaliated last week by moving to have the Columbia list vacated. The motion will be argued tomorrow before Judge Goddard.

Columbia also will interpose objections to the Government's interrogatories this week and may be joined by other defendants. The Government's interrogatories are scheduled to be answered by Feb. 15.

Foreign Films Suffering 25% Loss in Gross

(*Continued from page* 1)

to be suitable for this market and they are expected here within the next few months.

Where theatres have been unable to obtain good foreign films, they are showing revivals and filling in with selected American pictures.

Distributors say that a factor in the dwindling interest in foreign films is that most of them are heavy dramas, whereas the American public's taste now is for light entertainment.

Theatres featuring Russian films have been hard put for product since last Fall, and some discontinued these pictures because of anti-Russian feeling. With the withdrawal of Russian film distribution in this country, it is believed some of these theatres will be forced to close.

Davidson Receiver For Educational

James A. Davidson on Friday was named receiver of Educational Pictures, Inc., by Federal Judge Bondy with orders to take immediate possession of all Educational assets. At the same time, Judge Bondy referred all hearings to Referee John E. Joyce.

Appointment of Davidson followed a petition of Lloyd Wright, a $200,000 creditor as trustee of Grand National Films, Inc. Wright asked for a receiver on the ground that the bankrupt stood in danger of losing a $50,000 mortgage on studio equipment.

The petition claimed that the trustee of Grand National Pictures as lessee of the California studio was threatening to take possession of this studio equipment. In addition, Wright stated, it was essential for the receiver to defend a Government tax suit for $40,000 against Educational Film Corp. of America, as Educational subsidiary.

Davidson must post a $5,000 bond before qualifying under the order. Judge Bondy has also stayed all creditors from interfering with Educational's assets.

Pathe Breakfast Party

RKO-Pathe held a breakfast party showing of "Vacation Diary," a short subject travelogue describing Bermuda, on Friday at the Newsreel Theatre in Rockefeller Center. Breakfast was served in the mezzanine while the reel was screened continuously in the theatre. Travel agents, officials of children's societies and representatives of the trade press attended.

Canadian Censor Quits

TORONTO, Feb. 4.—L. C. Moyer has resigned as a member of the War Censor Bureau of the Canadian Government because of other Government duties. Moyer had charge of the censorship of both foreign and domestic films. C. J. Hanratty, a newspaperman, has been appointed his successor by the Dominion Government.

RCA Operates FM Station; Negotiating License Deal

RCA is operating an experimental frequency modulation station from the Empire State Building and is negotiating for a licensing agreement with Major Edwin H. Armstrong, who holds the major FM patents, it was learned over the weekend.

The station operates on a frequency of 42.6 megacycles and is on the air constantly except when television programs are being broadcast. Regular NBC programs are transmitted. Call letters of the new station, which started operation two weeks ago, are W2XWG.

RCA is experimenting with both a wide and narrow band, although Major Armstrong uses only the wide band. Engineers are working in the field, testing the signals as they are received, to prepare data for the F. C. C. hearings on FM, which start Feb. 28.

Silent on Armstrong Patents

RCA engineers refused to disclose whether or not they are using the Armstrong patents. They pointed out that under experimental conditions the question of patents is not involved. However, it was added that the question of ownership of patents might have to be determined by the courts. Major Armstrong formerly conducted some of his experiments in the RCA laboratories.

The nature of the present negotiations for a licensing agreement was not disclosed. It was stated that Major Armstrong never offered to sell his patents to RCA but has offered to grant licenses.

With Mutual's FM station due to go on the air next month, and an application now pending for construction of a CBS transmitter in the Chrysler Building, in addition to the NBC station, all major network programs will shortly be available over FM in the New York area.

FCC Ends Survey Of Television Today

Members of the F.C.C. will end a five-day inspection tour of television stations today with a visit to the RCA plant in Camden and the Philco plant in Philadelphia. They will leave for Washington tonight to resume deliberations on the setting of standards for television.

On Friday they toured the NBC television studios and the Empire State transmitter. On Saturday, they visited the Cath-Ray laboratories and the Dumont plant.

David Sarnoff, RCA president, who greeted Commissioners Fly, Walker, Thompson and Brown and engineers who accompanied them, declared that he realized the problem the Commission was facing. He emphasized the fact that RCA desires that standards be fixed by the Commission, but added that "it would not be fair for anyone at this point to criticize the F.C.C. for delay in setting standards."

Publishers See Film

The Columbia one-reeler, "The Threads of a Nation," the story of cotton, was screened for the annual midwinter meeting of officers and directors of the Southern Newspaper Publishers Association in Atlanta yesterday.

Merrill Is Elected RKO Treasurer

W. J. Merrill

William J. Merrill, financial executive in RKO for the past four years, on Friday was elected treasurer of the reorganized company at the first meeting of the board of directors since RKO's emergence from reorganization. Merrill was elected a vice-president of the reorganized company earlier. He had been assistant to George J. Schaefer, RKO president, for a year preceding his election.

Review Board Ends 3-Day Conference

National Board of Review of Motion Pictures concluded its 16th annual conference with a luncheon at the Hotel Pennsylvania on Saturday.

Among stage and screen stars present were Burgess Meredith, Betty Field, Roman Bohnen, Edward G. Robinson, Harry Carey and Bert Lytell. Dr. A. A. Brill, chairman of the National Board, was toastmaster at the luncheon.

On Friday, the second day of the three-day meeting, delegates met with the Committee on Exceptional Photoplays. In the afternoon was held the second discussion session on the conference theme, "Fifty Years of Films."

Among the speakers were Albert Howson, Warner scenario editor; W. W. Whittinghill, head of the department of visual and radio education of the Detroit public schools; Arthur Mayer, operator of the Rialto Theatre, and Herbert Kline, director. On Friday evening, the delegates saw early films at the Museum of Modern Art Film Library.

Ampa's Luncheons Resume Thursday

Ampa will resume its luncheon meetings next Thursday at Jack Dempsey's restaurant, Eighth Ave. and 50th St., where meetings will be held in the future.

The new arrangement provides a seating capacity of more than 200 persons and facilities for entertainment which were lacking at the previous meeting place. Price for luncheons remain the same.

Radio Brevities

THE Federal Communications Commission is seriously concerned with the danger of foreign spies using high frequency transmitters in the United States, and is making efforts to prevent such espionage.

The F. C. C. is seeking F[illegible]al funds to make an investigation of the unauthorized use of broadcasts by foreign agents.

The Commission is anxious to construct a listening station near Anchorage, Alaska, to check up on the activities of amateur and other operators who might be communicating information to foreign governments.

Personalities in the News

George Scher, formerly publicity director for Lennen & Mitchell, and now with Universal's exploitaiton department, is leaving to join the J. Hamilburg agency as an associate. . . . Dr. Frank Conrad, assistant chief engineer of Westinghouse, received the 1940 *gold medal of the American Institute of the City of New York on Friday for "his pioneering work in short wave and frequency modulation." . . . William Powell and Myrna Loy will co-star in "Single Crossing" on the Screen Guild show over CBS next Sunday. . . . Charles Correll, the "Andy" of "Amos 'n' Andy," is the father of Dorothy Alyce, born Wednesday night.*

Mutual's January Billings

Gross billings of Mutual for January totaled $317,729, a rise of .8 per cent over $315,078 during the same month last year.

Program News

NBC will offer $50 weekly prizes in connection with the sustainer "Adventures in Photography." The first weekly contest is for photographs of family pets and subsequent subjects will be announced on each broadcast. . . . Charlie Barnet replaces Jan Savitt at the Hotel Lincoln Blue Room on Friday and will take over Savitt's schedule of four NBC and two WHN weekly broadcasts. . . . Barney's Clothes, Inc., has renewed its contract for one year over WHN for 12 *quarter-hour periods weekly plus* 44 *to* 62 *spot announcements weekly.*

New WEAF Transmitter

NBC has added 10 acres to its 40-acre tract in Port Washington, L. I., for a new WEAF transmitter. The station's present transmitter is located in Bellmore, L. I.

Canada Dry Contest

Canada Dry, which sponsors "Information, Please" will announce a promotional and publicity contest today for radio stations which carry the program. A silver placque and $50 will be given to the winning station in addition to 12 other prizes. Judges will be William S. Brown, Canada Dry advertising manager, S. Barret McCormick, RKO director of advertising and publicity, Robert J. Landry, radio editor of *Variety,* and Sam G. Wingfield, publicity man for J. M. Mathes, the agency.

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BIG SCREEN, COLOR TELEVISION SHOWN; THREAT TO MOVIES

FCC Witnesses Secret RCA, Philco Tests; Brilliance, Clarity Like Photograph; Philco Set Has Built-In Aerial

PHILADELPHIA, Feb. 5.—That television is likely to become an early serious threat to the motion picture industry was emphasized today as the Federal Communications Commission witnessed sensational demonstrations at the RCA plant at Camden and at the Philco laboratories here.

Television Today

Large screen color projection is possible with remarkable definition and synchronization. A 4½ x 6 foot screen used.

RCA is prepared to bring out television as a full-grown industry as soon as the F.C.C. sets the standards.

Already proven is network television by means of relay transmitters.

Philco television sets have built-in aerials with picture transmission at 605 scanned lines, approximating a perfect photograph. Sets have built-in loop, a dial on the set enabling the owner to control the direction of the aerial. Hum trouble eliminated.

Both RCA and Philco took television out of the closets of secrecy for the private inspection of the F. C. C. and newspaper writers. All of those who witnessed the demonstrations were visibly awed by the advanced stage of development with large screens.

Officials readily agreed that television is no longer in its swaddling clothes, but sufficiently advanced to become the outstanding scientific achievement of the next decade.

Large screen color projection featured the RCA demonstration. A receiving set, with a built-in aerial, receiving pictures transmitted at 605 scanned lines, highlighted the Philco showing.

Stopping first at RCA, the F. C. C. members, headed by Chairman James Lawrence Fly, concurred in the belief that television presents a grave menace to motion pictures. They saw the transmission of black and white films onto a 4½x6-foot screen, projected from the receiving set by means of a new optical system.

RCA's development of color television was disclosed in the transmission of color films onto the large screen. Color pictures were shown with remarkable brilliance, and witnesses said the entire showing was comparable to home talkies.

In addition, RCA engineers showed the Commissioners how they arrived at a 30 frames per second transmission of pictures of 441 scanned lines as against 24 frames per second in motion pictures, the greater speed making

(*Continued on page 8*)

U.S. Theatres Show Big Gain In '39 Building

798 Projects During Year Cost $22,267,000

Theatre construction showed a marked upturn in 1939, with a total of 798 projects and contract valuations of $22,267,000 in the 37 states east of the Rockies, according to Dodge Reports.

This compares with 751 projects valued at $20,996,000 reported for the same areas in 1938. The projects include new building and major alterations.

A trend to smaller seating capacities is indicated in Dodge Reports statistics which show that while the 751 projects in 1938 involved 2,719,000 square feet of floor space, the 798 projects last year involved only 2,798,000 square feet.

Last year's building record was exceeded only once in the last five-year period. This was in 1937, when there were 884 theatre projects with a contract valuation of $27,227,000. In 1936 there were 797 projects involving $17,493,000 and in 1935 the contract valuation for theatres was $13,992,000.

Studios Mass Facts To Fight 10% Raise

One of the most factual and comprehensive records of studio labor costs ever to be compiled within the industry has been prepared under the direction of Y. Frank Freeman, Paramount studio head and acting chairman of the Producers' labor negotiating committee, for the Feb. 15 conferences with I.A.T.S.E. Coast heads on the subject of rescinding the 10 per cent wage increase granted to studio workers last November.

Freeman's insistence upon facts with which to answer the unions' objections to relinquishing the wage increases

(*Continued on page* 6)

Freeman Is Elected Head of Producers

HOLLYWOOD, Feb. 5. — Y. Frank Freeman of Paramount was elected president of the Association of Motion Picture Producers at today's annual meeting which was addressed by Will H. Hays. Freeman succeeds Joseph M. Schenck, president for the last two years.

Other officers named were E. J.

(*Continued on page* 6)

U.S. Quizzes Cohn Upon Player Loans And Theatre Deals

Columbia Pictures has loaned players to producers regardless of whether these producers are independent or not, Harry Cohn, president of Columbia, declared during his two-and-a-half hour examination yesterday in the Government's anti-trust suit.

Cohn insisted that Columbia had always maintained this policy in answer to a number of questions asked by Special Assistant Attorney General Robert L. Wright. Cohn disputed Wright's contention that a producer could not be considered independent if he released his pictures through a major company and argued that "he still is an independent."

Cohn went on to say that Columbia did not inquire into releasing facilities of an independent before loaning it talent, but confined its investigation to the ability of the producer to pay, the type of story in which the player would take part and the billing that he would receive.

The company at no time has con-

(*Continued on page* 6)

U.S. Critics Voting On Screen Awards

MINNEAPOLIS, Feb. 5.—Balloting has started in the national poll of film critics sponsored by the newly-organized Newspaper Film Critics of America.

Nomination under seven classifications have been made by a committee of 50 critics, including pictures which have had general release during 1939. Roadshow films are not included. Merle Potter, film editor of the Minneapolis *Times-Tribune*, is director of the poll.

The seven classifications include: Best picture, best actor performance, best actress performance, best support-

(*Continued on page* 6)

N. S. S. Takes Over 2 Poster Services

Advertising Accessories, Inc., subsidiary of National Screen Service, has taken over the independent poster renting service of Billy Bein, Cincinnati, and that of Homer L. Blackwell in Kansas City, according to Charles L. Casanave, vice-president and general manager of Advertising Accessories.

Bein will assume an executive post in the New York office, and Blackwell, head of the Independent Poster Agency in Kansas City, will hold an executive post in the Midwestern city.

Extended Play Time Asked for 'Wrath'

A guarantee of extended playing time will be asked by 20th Century-Fox for "Grapes of Wrath" and exhibitors will be requested to play it as a single bill, especially during 100 or 150 pre-release engagements which are being set for March.

Herman Wobber, general sales manager, feels that the film should run singly in order to permit adequate turnover. The picture runs two hours and 10 minutes. Should another fea-

(*Continued on page* 5)

Bioff Federal Trial Is Set for May 28

LOS ANGELES, Feb. 5.—Federal Judge Ralph Jenney today set May 28 as the date for the opening of the trial of William Bioff, I. A. T. S. E. leader, indicted recently on two counts of income tax evasion.

Dinner at Detroit Will Honor Mayer

Detroit, Feb. 5.—Louis B. Mayer, in charge of M-G-M production, will be guest of honor at a civic luncheon at the Book-Cadillac Hotel here Friday in connection with the world premiere of "Young Tom Edison" in Port Huron the following day.

Mayer will arrive here Thursday for ceremonies which will start Port Huron's "Edison Days" celebration.

Others expected are William F. Rodgers, M-G-M general sales manager; Edward M. Saunders, Western division manager; Howard Dietz, advertising and publicity director; Howard Strickling, studio publicity director; William R. Ferguson, exploitation manager; Mickey Rooney and Les Peterson of the studio.

They will attend the opening of the film at the Desmond Theatre, Port Huron, Saturday night. A special preview will be held at the same time at the Family and Majestic theatres.

Mrs. Minna M. Edison Hughes, widow of Thomas A. Edison, and Premier Mitchell Hepburn of Ontario have accepted invitations to the premiere. Others who will attend are Norman Taurog, director, and John Considine, Jr., producer of the film; Gov. Dickinson of Michigan; Alfred O. Tate, representing the Edison Pioneers of New York, and Edsel Ford.

Warner Chiefs Back After Chicago Parley

Chicago, Feb. 5.—Warner sales executives, district managers and branch managers left here tonight following the three-day sales meeting at the Blackstone Hotel, presided over by Gradwell L. Sears, general sales manager.

Charles Einfeld, director of advertising and publicity, and Mort Blumenstock, in charge of advertising and publicity in the East, returned to the home office yesterday. The home office executives who left today included: Sears, Carl Leserman, assistant general sales manager; Roy Haines, Eastern and Canadian sales manager; Ben Kalmenson, Western and Southern manager, and Arthur Sachson.

Sears read to the sales personnel a wire from Hal B. Wallis, associate executive in charge of production, who cited the lineup of forthcoming product ready for release, including "Dr. Ehrlich's Magic Bullet," "Virginia City," "Three Cheers for the Irish," "'Till We Meet Again," "Saturday's Children," "The Sea Hawk," "All This and Heaven, Too" and others.

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Joseph Bernhard, general manager of Warner theatres, was operated upon yesterday at the Lenox Hospital for gallstones. He is resting comfortably.

•

Stanton Griffis, John Golden, Arthur Schwartz, Mort Spring, Joseph Rosthal, David Blum, Al Lewis and Harry Kaufman lunching at Sardi's yesterday.

•

Charles E. McCarthy, Charles Sonan, Eddie Grainger, A. P. Waxman, Ted O'Shea and Tom Connors at Nick's Hunting Room in the Astor for lunch yesterday.

•

Herb Morgan, M-G-M short subjects publicity manager, returns tomorrow from Ft. Lauderdale, Fla., where he has been making a short.

•

Moe A. Silver, zone manager for the Warner circuit, has returned to his Albany headquarters after an inspection tour of the 14 theatres in Western New York. Ralph Crabill, district manager, accompanied Silver.

•

Tess Michaels of the United Artists publicity department leaves for the Coast today to work on fan magazine publicity and tieups with Frank Seltzer, head of publicity and advertising for the Hal Roach studios.

•

June Duprez, Alexander Korda player, will sail from England today on the *Rex*. After a brief stay in New York, she will go on to Hollywood.

•

Mrs. W. V. Toney, wife of the head of Tri-States Theatres maintenance department, Des Moines, has left for a two-month visit with relatives in Alamogordo, N. M.

•

Natalie Kathryn Breen, daughter of Joseph I. Breen, and Jess Benton, Jr., were married Saturday at the Church of the Good Shepherd, Beverly Hills.

•

Nunnally Johnson, screen writer, and Doris Bowdon, actress, were married Sunday at the home of Charles MacArthur in Nyack, N. Y.

•

John Cromwell, director, and Mrs. Cromwell are the parents of a boy, born last week at the Good Samaritan Hospital, Hollywood.

•

Jock Lawrence, Samuel Goldwyn's assistant and publicity director, is ill with pneumonia at Good Samaritan Hospital Hollywood.

•

Louis R. Golding, Fabian district manager in Albany, has left for a two-week vacation in Miami and Havana.

•

Mrs. Robert Rosenthal, wife of the manager of the Ritz, Albany, is in New Orleans for her sister's wedding.

•

James Mulvey, Eastern representative for Samuel Goldwyn, returned from the Coast yesterday.

•

S. G. Alexander has resigned as space buyer of Kieseweiter agency and is now affiliated with Weiss & Geller.

•

Douglas Peck of the M-G-M home office observes a birthday today.

Roger Ferri of 20th Century-Fox, who has returned from Miami, reports that the film colony at the resort includes, among others, N. L. Nathanson, Albert Warner, Sam Pinanski, Jack Sichelman, Joe J. Lee, I. J. Schmertz, Cleveland manager for 20th Century-Fox; Meyer Fine and Arthur Schwartz of Cleveland; Harry Ballance, 20th Century-Fox Southern district manager.

•

Tim Holt, son of Jack Holt, the movie player, and himself a leading man, became a father recently. Mrs. Holt is the daughter of Mr. and Mrs. C. S. Ashcraft, projection lamp manufacturers.

•

A. W. Smith, Jr., RKO's Eastern and Canadian sales manager, and Mrs. Smith are the parents of a son born Sunday at the United Hospital, Port Chester. The son has been named Frank Clawson.

•

H. Alban Mestanza, formerly editor of *Teatro al Dia,* yesterday became the father of a boy, born to Mrs. Mestanza at Woman's Hospital.

•

P. F. Masucci, Eastern district manager of International Seat Corp., has returned to his office here from the company's headquarters in Union City, Ind.

•

Raymond Blank of Tri-States Theatre Corp., Des Moines; Sam Horowitz of Affiliated Enterprises and Mrs. Horowitz have left for several weeks in Mexico.

•

Ray Duport, formerly sales manager for Forest, Inc., is now Eastern representative for Wagner Sign Service. Duport makes his headquarters in Philadelphia.

•

Leonard Goldenson, Paramount home office theatre executive, left yesterday for a two-day visit with the company's theatre operators in upstate New York.

•

F. J. A. McCarthy, Universal Eastern and Southern sales manager, is in Nashville on business. He is expected back in New York on Thursday.

•

Lou Pollock, Universal Eastern advertising and publicity manager, has completed an original script titled "X Marks the Girl."

•

Andrew Scheick, Eastern projection lens representative for Bauch & Lomb Optical Co., has returned to his office after a two-week illness.

•

L. K. Hagaman, formerly with Armstrong Cork Co., is now in charge of sales promotion for Charles P. Cochrane Carpet Co.

•

Harry Mersay, 20th Century-Fox print manager, has returned from Miami.

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U.A. Officials Going To Coast for Parley

Conferences on United Artists' new season production plans and sales policies will get under way in Hollywood next week with the arrival there of Maurice Silverstone, operating head of the company, and other United Artists officials.

Silverstone and Charles Schwartz, counsel and board member, will [illegible]ve for the Coast by train on Thu[illegible]ay. They may be accompanied by Zoltan Korda, London Films director, and Sabu, Indian boy star. Members of Silverstone's family will accompany him also.

Lynn Farnol, United Artists advertising and publicity director, also will leave for the Coast conferences on Thursday but will go by plane.

Monthly meeting of the company's board of directors will be held today with the probability that it will act on the new distribution contract for John M. Stahl pictures.

MacIntyre Finishes Tour of 38 Branches

Herb MacIntyre, captain of RKO's Ned Depinet sales drive, concluded a tour of 38 branch offices yesterday with a final meeting at the New York exchange, headed by Robert Wolff, manager.

Approximately 100 employes, including many from the RKO home office, attended the final rally previous to the billings drive proper.

From the home office were A. W. Smith, Jr., eastern and Canadian sales manager; Harry Michalson, short subjects sales manager; A. A. Schubart, manager of exchange operations; M. G. Poller, W. J. McShea, Dick Anderson and Harry Gittleson.

Decision Reserved In Vineland Action

Philadelphia, Feb. 5.—U. S. Circuit Court of Appeals has reserved decision on the appeal from a preliminary injunction granted the Landis Theatre, Vineland, N. J., in its anti-trust suit against Warner Theatres and the major distributors.

The court had been expected to hand down the decision when it convened here today. Arguments on the appeal were heard Jan. 19, when the injunction, granted by Judge Kirkpatrick in Federal District Court was attacked as unconstitutional.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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IN THE TRADITION OF SUCCESS

Topping "Alexander's Band" at Lincoln, Miami . . . Hold-over already announced at Roxy, N. Y. . . . Beating "Stanley and Livingstone" in Baltimore . . . Biggest of season in Bridgeport . . . Out-grossing "Alexander's Band" in Hartford. . . Leading "Rains Came" in Worcester!

DARRYL F. ZANUCK
produced . . .

HENRY KING
directed . . .

LITTLE OLD NEW YORK

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

'69th' Scores Fine $35,000 To Lead Hub

BOSTON, Feb. 5.—With all theatres in the city playing to better than average, "The Fighting 69th" grossed $35,000 at the Metropolitan. Playing its sixth week at one theatre, "Gone With the Wind" was still strong with a gross of $31,000.

Estimated takings for the week ending Jan. 31:

"The Cisco Kid and the Lady" (20th-Fox)
KEITH BOSTON—(3,200) (25c-35c-40c-55c-65c) 6 days. Dead End Kids on stage. Gross: $24,000. (Average, $8,500)
"Swanee River" (20th-Fox)
"The Flying Deuces" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $14,500)
"Ninotchka" (M-G-M)
"The Secret of Dr. Kildare" (M-G-M)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days. Gross: $7,000. (Average, $4,500)
"Ninotchka" (M-G-M)
"The Secret of Dr. Kildare" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $10,000. (Average, $7,000)
"The Fighting 69th" (W. B.)
"High School" (20th-Fox)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $35,000. (Average, $14,500)
"Four Wives" (W. B.)
"Everything Happens At Night" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $5,800. (Average, $4,000)
"The Housekeeper's Daughter" (U. A.)
"Music In My Heart" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $11,000)
"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (75c-$1.10-$1.50) 7 days, 6th week. Gross: $31,000. (Average, $14,500)

'Wind' with $27,600 Milwaukee Smash

MILWAUKEE, Feb. 5.—"Gone With the Wind," playing three shows a day at Fox's Palace, drew $27,600. "The Fighting 69th" and "Mexican Spitfire" at the Warner took $6,800.

Estimated takings for the week ending Feb. 1:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (75c-$1.10) 7 days. Gross: $27.600. (Average, $4,000)
"Beware, Spooks" (Col.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Chester Morris. Gross: $8.800. (Average, $6,500)
"Swanee River" (20th-Fox)
"Geronimo" (Para.)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,800. (Average, $1,500)
"The Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $4,500)
"High School" (20th-Fox)
"Judge Hardy and Son" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $4,700. (Average, $5,500)

'Wind' Leads Omaha With Strong $22,700

OMAHA, Feb. 5.—"Gone With the Wind" garnered a smash $22,700 in its first week at the Paramount.

Estimated takings for the week ending Jan. 31-Feb. 1:

"Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $6,200. (Average, $4,000)
"Housekeeper's Daughter" (U. A.)
"Emergency Squad" (Para.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,200. (Average, $6,000)
"Secret of Dr. Kildare" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $6.100. (Average, $7.600)
"Gone With the Wind" (M-G-M)
PARAMOUNT—(3,000) (75c-$1.10-$1.50) 7 days. Gross: $22,700. (Average, $16,500)

New York Review

"Louise"

(Mayer-Burstyn)

Transcribed into terms of the screen, the opera "Louise," by Gustave Charpentier is entertainment for those discriminating audiences who either are fond of good music, attractively rendered, or of opera itself. The film is in French.

There is, in addition, for the selling of the film, the star, Grace Moore, who is in fine voice in the title role. Supporting her are Georges Thill of the Paris Opera, as her sweetheart, and Andre Pernet, of the same company, as her father. Both are excellent.

The use of the screen medium permits of a somewhat greater latitude in the depiction of such scenes as the carnival in Montmartre, but for the most part the pattern of the original stage opera is closely followed. Abel Gance directed and Deems Taylor provided a foreword and is credited with the English subtitles.

The story tells of the young girl in love with a composer-poet, an affair strongly disapproved by the girl's parents. She persists in seeing him, eventually leaves home, returns briefly when she learns her father is ill, then leaves again finally, as the call of youthful freedom and romance overwhelm her desire to please her aging parents.

Running time, 80 minutes. "G."* CHARLES S. AARONSON

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*"G" denotes general classification.

Short Subject Reviews

"Nothing But Pleasure"

(Columbia)

Buster Keaton, in his artless way, becomes involved in a series of misadventures which wind up in some hilarious scenes. He sells his old car and travels with his wife, Dorothy Appleby, to Detroit to purchase a new one. He neglects to buy insurance and his car is wrecked by bandits. Highlighting the comedy is a scene where Keaton attempts to put an inebriated lady to bed. Running time, 17 mins.

"Park Your Baby"

(Columbia)

Scrappy, in a black and white cartoon, organizes a baby checking service in a department store. A pair of twins from the gashouse district is checked and the fun begins. After they drive Scrappy to desperation, he puts them into a "bad-boy pacifier" after which their own father fails to recognize them. Clever animation. Running time, 6 mins.

"U. S. Treasury"

(Columbia)

Another in a series of Washington glimpses, "U. S. Treasury" describes the activities of the Bureau of Engraving and Printing. The money printing process, which is always an interesting subject, is described in considerable detail. Methods of detecting counterfeits are also discussed. Should make a good addition to the program. Running time, 10 mins.

"The Heckler"

(Columbia)

Charley Chase, as a loud-voiced sports fan, delights in upsetting the morale of baseball players with his calls of "Watch him miss it!" Charley is so successful that some gamblers pay him to travel with the team. The players get even by making Charley catch cold, and he develops a hoarse throat. Should produce laughs. Running time, 17 mins.

"Community Sing, No. 5"

(Columbia)

Donald Grayson leads a group of singers in some old gypsy songs. Included are "Two Guitars," "The Gay Merchant," "Dark Eyes," "Volga Boatman" and "Abdul Albuldul Amir." Grayson frequently exhorts the audience to join the singing. Running time, 10 mins.

'The Threads of a Nation'

(Columbia)

Here is a history in color of the development, growth and manufacture of cotton. From its beginnings, cotton is shown as it was used by ancient civilizations. The manufacturing process is described in detail. Running time, 11 mins.

"Vacation Diary"

(RKO-Pathe)

Glorifying the advantages of Bermuda as the spot for the ideal winter vacation, this reel follows two secretaries on a two-week trip. One of the girls keeps a diary which introduces the reel's highlights. Swimming in the surf, dancing under the stars and sailing in the moonlight are some of the pleasures. Nine minutes.

'Teddy, the Rough Rider'

(Warners)

Many will regard this as the best of the "Historical Feature" series. It certainly is worthy of playing time in every theatre, not only for its Americanism but because it tells an absorbing story which, in fact, has feature-length possibilities.

It is the story of Teddy Roosevelt the fighter, always battling for the people, tracing his career from Police Commissioner in New York through successive steps until he becomes President and after his retirement. Sidney Blackmer performs splendidly in the role, and has Pierre Watkin, Theodor Von Eltz and Arthur Loft in chief support. Ray Enright turned in a swell job of direction. In color. Running time, 19 mins.

'Girl Friday' Hits $24,100, Los Angeles

LOS ANGELES, Feb. 5.—"His Girl Friday" and "Cafe Hostess" drew a strong $24,100 at the Hillstreet and Pantages, $12,500 at the former, [illegible]d $11,600 at the latter. "Gone With [illegible]e Wind" continued its top pace in the fifth week at the Carthay Circle and United Artists.

Estimated takings for the week ending Jan. 31:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 5th week. Gross: $20,700. (Average, $17,000)
"Remember" (M-G-M)
"The Shop Around the Corner" (M-G-M)
CHINESE — (2,500) (30c-75c) 7 days. Gross: $12,200. (Average, $12,500)
"Of Mice and Men" (U. A.)
4 STAR—(900) (40c-55c) 7 days, 6th week. Gross: $2,000. (Average, $3,250)
"His Girl Friday" (Col.)
"Cafe Hostess" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $12,500. (Average, $6,500)
"Remember" (M-G-M)
"The Shop Around the Corner" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $13,500. (Average, $14,000)
"His Girl Friday" (Col.)
"Cafe Hostess" (Col.)
PANTAGES—(2,000) (30c-65c) 7 days. Gross: $11,600. (Average, $7,000)
"Geronimo" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Chief Thundercloud, Leon Navara and orchestra. Gross: $15,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 5th week. Gross: $24,100.
"The Fighting 69th" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $12,300. (Average, $14,000)
"The Fighting 69th" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $12,700. (Average, $12,000)

'Wind' Establishes Kansas City Record

KANSAS CITY, Feb. 5.—A new all-time high for any picture was set by "Gone with the Wind" when it took $41,000 at Loew's Midland. "The Fighting 69th" and "Mexican Spitfire" took $8,100 at the Orpheum. The weather was cold.

Estimated takings for the week ending Jan. 30-Feb. 1:

"Congo Maisie" (M-G-M)
ESQUIRE—(800) (25c-40c) 8 days. Gross: $2,700. (Average, $2,800)
"Gone With the Wind" (M-G-M)
MIDLAND—(4,000) (75c-$1.12) 7 days. Gross: $41,000.
"Invisible Stripes" (W. B.)
"Granny, Get Get Your Gun" (W. B.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $4,800. (Average, $7,000)
"The Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $8,100. (Average, $5,000)
"Cafe Hostess" (Col.)
TOWER—(2,200) (25c) 7 days. Stage: Nelson Sisters, Glamour Girls, Elaine Arden, 4 McNallie Sisters. Gross: $4,800. (Average, $5,000)
"Congo Maisie" (M-G-M)
UPTOWN—(2,000) (25c-40c) 8 days. Gross: $3,500. (Average, $3,800)

Charter Three Firms

ALBANY, Feb. 5.—Chinese American Films, Inc., has been incorporated here by Rudolph Allen, S. E. Sydney and Miriam Kaplan, New York. Other concerns are: Lams Productions, Inc., by Lee Moselle, Rose Lader and Geraldine Weiss, New York; Roder Amusement Co., Inc., by William J. Boxer, Samuel Levitt and Rochelle Dronge, New York.

'Wind' Draws High $34,500 Seattle Lead

SEATTLE, Feb. 5.—"Gone With the Wind" scored $34,000 at the Fifth Avenue. "The Fighting 69th" drew $[illegible] at the Palomar.

Estimated takings for the week ending Feb. 2:

"The Great Victor Herbert" (Para.)
"Henry Goes Arizona" (M-G-M)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $2,800. (Average, $4,000)
"Gone With the Wind" (M-G-M)
FIFTH AVENUE—(2,500) (75c-$1.15-$1.50) 7 days. Gross: $34,000. (Average, $7,000)
"Miracle on Main Street" (Col.)
"Fugitive at Large" (Col.)
LIBERTY—(1,800) (10c-15c-25c) 7 days. Gross: $4,100. (Average, $5,000)
"Swanee River" (20th-Fox)
"Missing Evidence" (Univ.)
MUSIC BOX—(950) (25c-40c-55c) 7 days. 2nd week. Gross: $3,200. (Average, $4,000)
"He Married His Wife" (20th-Fox)
"City in Darkness" (20th-Fox)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $5,300. (Average, $6,000)
"The Fighting 69th" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Texas Jim Lewis. Gross: $8,100. (Average, $5,000)
"Green Hell" (Univ.)
"High School" (20th-Fox)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $5,900. (Average, $6,000)

Extended Play Time Asked for 'Wrath'

(*Continued from page 1*)

ture be added, Wobber feels that box-office receipts would be curtailed.

The company will have an assist advertising campaign on the film for the pre-release engagements and will require the exhibitor to increase his normal advertising budget for the engagement.

In addition to a number of early engagements shortly after March 1, the company is setting up more than 100 day-and-date bookings for about March 15.

The only engagement for the picture so far is at the Rivoli on Broadway. Wobber said that the success of run here has determined the policy.

Government Picture Planned in Canada

TORONTO, Feb. 5. — The National Film Board of the Dominion Government has organized the production of a "national film" under the title, "The Undefended Frontier," dealing with the neighborly peace between the United States and Canada. The board also plans the production of short subjects for school children, and a group for adult educational purposes.

A regular series of films will be brought out, portraying the life of Canadian soldiers in England and France during the war. The board also will send films to military theatres in the overseas war zones.

Cincinnati Club Elects

CINCINNATI, Feb. 5.—The following board of governors was chosen at the first election of the recently-formed Cincinnati Cinema Club, composed of film and other salesmen serving the industry: Rudy Knoepfle, Pete Niland, John S. Allen, Mark Cummins, Nat Kaplan, Joe McKnight, L. J. Bugie and Al Kolitz.

Notables to Attend 'Pinocchio' Opening

Industry and civic leaders and important personalities of the stage, screen and radio will attend the world premiere of the Walt Disney-RKO feature, "Pinocchio," at the Center Theatre tomorrow evening.

Among those who will attend are: Will Hays, Colvin Brown, Gabriel L. Hess, Gus Eysell, Sam Shain, Jules Brulatour, Nate J. Blumberg, Harry Brandt, William Brandt, Mr. and Mrs. Edwin L. Weisl, Sam Dembow, John J. O'Connor, Mrs. Hortense Odlum, Arthur Loew, Carl E. Milliken, Mr. and Mrs. Boyd Hatch, Conde Nast, John Balaban, Harry Cohn, Betty Hatch, David Sarnoff, Richard C. Patterson, Jr., Phil Reisman, Cresson E. Smith, John D. Hertz, Jr., W. H. Clark, Major L. E. Thompson, William Mallard, Harry Michalson, W. J. Merrill, Major Albert Warner, General J. G. Harbord, Gordon E. Youngman, Lowell Thomas, George Skouras, Spyros Skouras, C. C. Pettijohn, James R. Grainger, W. Ray Johnston, Jack Cohn, Sidney Kent, George J. Schaefer, James R. Grainger, M. H. Aylesworth, Herbert Bayard Swope, Hal Horne, S. Barret McCormick, A. W. Smith, Jr., Leon Goldberg, Fred Meyers.

Also Mr. and Mrs. Joe Penner, Robert Stack, Cobina Wright, Jr., Terry Kilburn, Mr. and Mrs. Brian Aherne (Joan Fontaine), Burgess Meredith, Walter Hampden, Edmond O'Brien, Ruth Gordon, Gene Autry, Judy Canova, Edward G. Robinson, Jimmy Durante, Clifton Fadiman, John Kieran, Franklin P. Adams, Oscar Levant, Daniel Golenpaul, Harry Carey, Hope Hampton, Irving Berlin, Andre Kostelanetz, Tony Martin, Kate Smith, Deems Taylor, Harry Goetz, Max Gordon, Gladys Swarthout, Frank Chapman, Jascha Heifetz, Mary Martin, Phil Spitalny, John Beal, Alison Skipworth, Donald Cook.

Also Police Commissioner Lewis J. Valentine, John J. Seery, Chief Inspector Louis F. Costuma, Deputy Inspector James J. Sheehy, Thomas E. Dewey, James Farley, Laurence Rockefeller, Winthrop Rockefeller, David Rockefeller, Nelson Rockefeller, Richard Harrington, David Milton, Don Francisco, Stanton Griffis, Henry Jaffee, William Randolph Hearst, Jr.

Cameraman Sues IA On Union Transfer

LOS ANGELES, Feb. 5.—Bylaws of the I. A. T. S. E. are due for another court test as a result of the damage action filed in Superior Court by Ben Wetzler, member of Photographers Local 644, New York, who alleged he was denied privileges of transferring his membership to Studio Photographers Local 659, which has a closed shop contract in local studios.

Wetzler, in his complaint, declared that upon his arrival here three years ago, he, under the bylaws of the alliance, sought to transfer his membership and Local 659 refused it.

Gennaro Rea Sells Story

Gennaro Rea, former scenarist for Monogram, has sold an original story, "The Slavers," to the Italian-American Film Corp., headed by Dr. Philip Giordano, former publisher. The film will be produced at Cinecitta, in Rome.

Bird Leads Staff Four-Hour Chase

New Orleans, Feb. 5.—Recent freezing temperatures literally gave the bird to the Ashton here. The bird came in out of the cold about the time the night performances started and throughout the evening led the personnel of the house a merry chase. Even patrons joined in a four-hour chase. House lights were turned on after the show ended and Manager W. A. Fonseca finally captured the visitor.

'U' Officials Touring Company's Branches

Universal's top sales executives are visiting the company's branches in various parts of the country to acquaint the field staff with forthcoming product and to spur sales effort on the balance of Universal's current season schedule.

W. A. Scully, general sales manager, went to Boston yesterday in this connection; F. J. A. McCarthy, eastern sales manager, is en route to Nashville, and W. J. Heineman, Western sales manager, to Kansas City on similar missions, Leo Abrams, short subjects sales manager, is about midway on a five weeks tour of branches.

A 32-page broadside in color, describing Universal's 14 leading features to be delivered during the remainder of the current season, was mailed yesterday to 16,000 exhibitors.

Toronto Clearance Conference Friday

TORONTO, Feb. 5.—A conference is scheduled here Friday by the Clearance Reform Committee, representing the circuits, independent exhibitors and exchanges, to consider proposals for revision of the protection code throughout the Dominion. Chairman of the committee is Col. John A. Cooper, president of the Motion Picture Distributors.

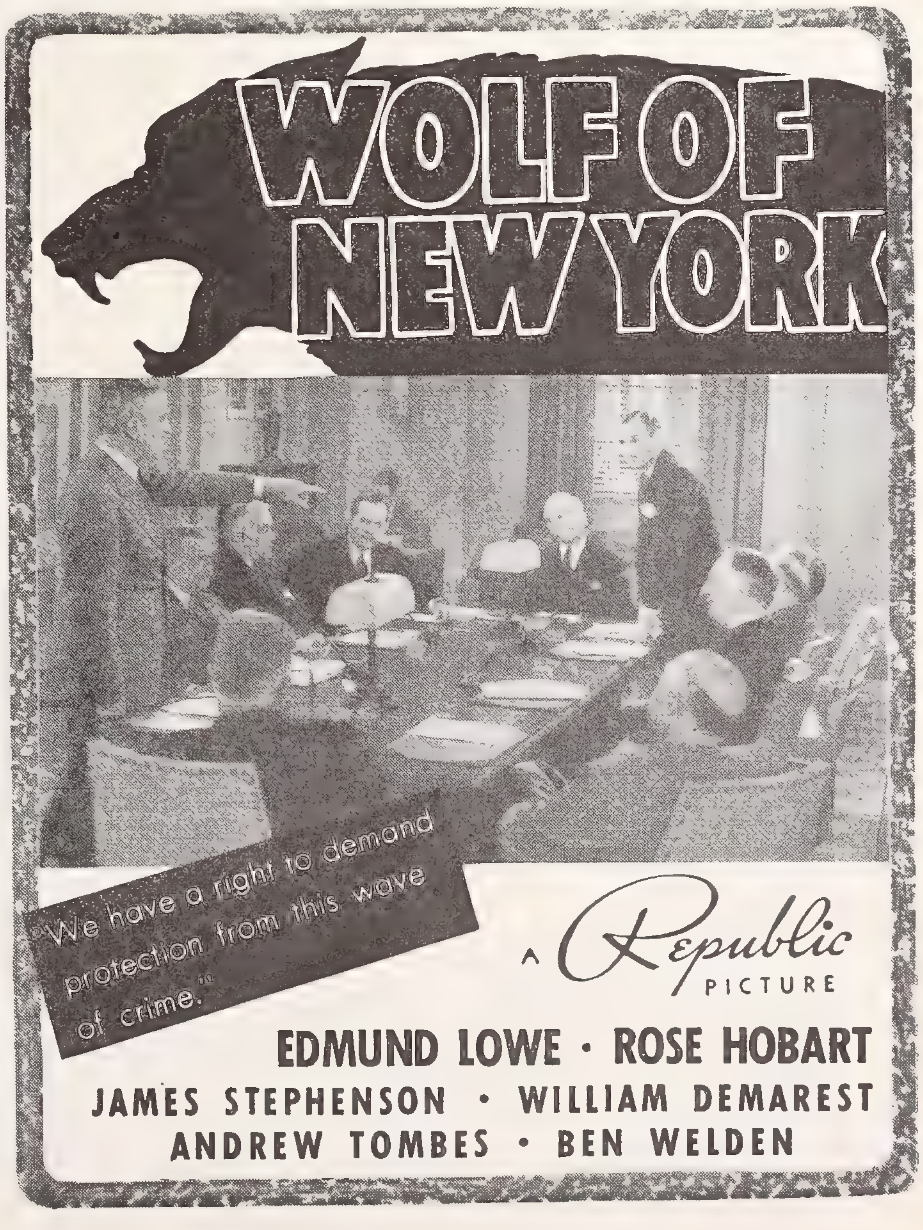
The independents, through N. A. Taylor, vice-president of the Independent Theatres Association of Ontario, have asked for regional conciliation boards in the six key cities in the Dominion and an appeal board in Toronto to pass on decisions. The suggestion has been made that the personnel of a board comprise two independent exhibitors, one film exchange representative and a member from the theatre circuits.

President N. L. Nathanson of Famous Players Canadian Corp. has expressed opposition to a plan for regional committees but favors one general board to deal with all trade problems involving circuits and independents.

The meeting has been delayed for some weeks because of concentration on the amusement tax proposal in Ontario and also because of the absence from the city of Col. Cooper.

Dannenberg Dies

Sid Dannenberg, former director of advertising for the Warner Theatres in the Cleveland zone, died in Hollywood last week.


We have a right to demand protection from this wave of crime."
WOLF OF NEW YORK
A Republic PICTURE
EDMUND LOWE · ROSE HOBART
JAMES STEPHENSON · WILLIAM DEMAREST
ANDREW TOMBES · BEN WELDEN

Critics of U.S. To Vote Upon Film Awards

(Continued from page 1)

ing performances by actor and actress, young actor and young actress likely to make the most progress in 1940.

The nominations in each group are as follows:

Pictures—"Dark Victory," "Goodbye, Mr. Chips," "Love Affair," "Mr. Smith Goes to Washington," "Ninotchka," "Pygmalion," "Stagecoach," "The Women," "Wizard of Oz," "Wuthering Heights."

Performance by actor—John Barrymore in "Great Man Votes," Robert Donat in "Goodbye, Mr. Chips," Henry Fonda in "Young Mr. Lincoln," Leslie Howard in "Pygmalion," Charles Laughton in "The Beach Comber," Paul Muni in "Juarez," Laurence Olivier in "Wuthering Heights," Mickey Rooney in "Babes in Arms," James Stewart in "Mr. Smith Goes to Washington," Spencer Tracy in "Stanley and Livingstone."

Performance by actress—Ingrid Bergman in "Intermezzo," Bette Davis in "Dark Victory," Marlene Dietrich in "Destry Rides Again," Irene Dunne in "Love Affair," Greta Garbo in "Ninotchka," Wendy Hiller in "Pygmalion," Anna Neagle in "Nurse Edith Cavell," Merle Oberon in "Wuthering Heights," Rosalind Russell in "The Women," Norma Shearer in "Idiots Delight."

Masculine supporting player—Brian Aherne in "Juarez," Richard Barthelmess in "Only Angels Have Wings," Walter Brennan in "Stanley and Livingstone," Brian Donlevy in "Beau Geste," John Garfield in "Juarez," Cedric Hardwicke in "Hunchback of Notre Dame," Wilfred Lawson in "Pygmalion," Gene Lockhart in "Blackmail," Thomas Mitchell in "Stagecoach," Akim Tamiroff in "Disputed Passage."

Feminine supporting player—Alice Brady in "Young Mr. Lincoln," Jane Bryan in "We Are Not Alone," Billie Burke in "The Wizard of Oz," Geraldine Fitzgerald in "Dark Victory," Greer Garson in "Goodbye, Mr. Chips," Edna Mae Oliver in "Drums Along the Mohawk," Maria Ouspenskaya in "Love Affair," Flora Robson in "We Are Not Alone," Rosalind Russell in "The Women," Dame Mae Whitty in "The Lady Vanishes."

Young Actor—Eddie Albert, Richard Carlson, Robert Cummings, William Holden, John Howard, Jeffrey Lynn, Victor Mature, Edmund O'Brien, Robert Preston, Robert Stack.

Young Actress—Linda Darnell, Betty Field, Susanna Foster, Helen Gilbert, Gloria Jean, Brenda Joyce, Mary Martin, Maureen O'Hara, June Preisser, Lana Turner.

Los Angeles Citizens Protest Censor Plans

Los Angeles, Feb. 5.—The Municipal League, composed of leading Los Angeles citizens, today had read in a session of the city council a letter expressing the League's opposition to a proposed ordinance empowering the police commissioner to censor movies and stage shows.

"Broadway Melody of 1940"

[M-G-M]

Hollywood, Feb. 5.—When a "Broadway Melody" is bad it's very, very bad, and when it's good it's terrific. This "Broadway Melody of 1940" is the best of the very, very good ones, so much better than the previous best as to suggest at once a broadening of the calendar title scheme so as to permit production of more than one a year, perhaps as "Broadway Melody of 1940—Spring Edition," "Broadway Melody of 1940—Summer Edition," and so on, for surely the market will stand four a year, maybe more, if each can be depended upon to measure up to this one.

This musical surpasses any of its series predecessors, first, by reason of the presence herein of not one, not two, but three superlative dancers, Fred Astaire, Eleanor Powell and George Murphy. It excels its forerunners, secondly, by the use of a Cole Porter music score, than which, for this type of picture, there is none better nor as good. It thrives, additionally, on the performances of Frank Morgan, in the pink of his giddiest form; Ian Hunter, Florence Rice, Lynne Carver and young Trixie Firschke, ace vaudeville juggler whose act is interpolated for immense audience result.

Produced by the knowing and open handed Jack Cummings, the picture is big, beautiful and brisk, production-wise, yet studded with niceties of incidental business and artistically sound throughout. Direction by Norman Taurog is of a high order, keeping the background story steadily coherent and constantly in motion without allowing it to impede the smooth flow of musical numbers. These, following always a rising curve of complexity, afford unfailingly that audience stimulation all musicals are supposed to but only the cream of them do.

The picture is easily the "dancing-est" musical ever produced, the three evenly matched dance stars performing individually, collectively and in all the possible pairings. The story by Jack McGowan and Dore Schary is about a male dance team enamoured of a girl dance star and a case of mistaken identity which requires a sequence of unfamiliar incidents to get itself ironed out. The screenplay by Leon Gordon and George Oppenheim has the extremely good sense to attend to this matter of ironing it out good-humouredly, commonsensibly and without subjecting dancing talent to unnecessary strain in the thespian department.

Some while back the trade was whispering that musical comedies were done for, that the vein had been worked out, the things were all alike and nothing could be done about it. Producer Jack Cummings and his co-workers made a liar of that whispering. They achieve this notable and highly worthwhile unmasking of a canard by the simple device of proceeding to make a grand musical comedy that tries to be just that and nothing whatever else.

Their picture, coming to market at a time when social documents done up in entertainment wrappings are more plentiful than pleasant, is a brilliant and most welcome piece of universally enjoyable screen amusement.

Running time, 100 minutes. "G."* Roscoe Williams

**"G" denotes general classification.*

Studios Mass Facts to Fight 10% Raise

(Continued from page 1)

broke down individual company resistance to divulging information on their labor costs, it was learned officially here. Heretofore, no such individual or consolidated company information has been available for labor negotiating purposes.

The information covers costs of labor in many employee groups to individual studios and to the production branch of the industry as a whole. In addition, it shows labor's share in the production dollar for purposes of comparison with the share of executives and various talent and technical groups in that dollar.

The information is aimed to answer the I.A.T.S.E. contention that labor has an unequal share in production expenditures, either because of irregular employment periods for the workers or because executives, talent and technical groups command too great a share of the production dollar.

The I.A.'s contention that the average studio union worker earns only $900 per year, despite prevailing high wage scales, due to irregular employment, has been refuted by the records just compiled, it was said. The average is shown to be nearly twice that amount, despite annual periods of unemployment due to production letdowns.

As reported by Motion Picture Daily last week, audited reports of production and distribution earnings during the first 13 weeks of the European war, ended Dec. 1, last, have already been prepared here and forwarded to Freeman for use in the Feb. 15 negotiations on the Coast.

The reports show that on the basis of earnings for the period, and because of the continuing uncertainty in international markets, continuation of the 10 per cent increase is unwarranted in the opinion of the auditors.

Player Loans Told by Cohn In Trust Quiz

(Continued from page 1)

sidered purchasing theatres for showing its own films, he later stated. No Columbia official has any financial interests in any theatres, he added.

Attorneys, however, would not allow him to answer a question as to whether it was advisable or necessary for a producer to own theatres. Wright stated that he would move for a court order directing Cohn to answer this query after attorneys claimed that this question was the main issue of the suit and could not be answered by a witness no matter how expert he was.

Cohn was the first of 26 top officials of major companies to testify. His preliminary examination covered his activities in the film industry since 1918. In 1924 he organized Columbia in collaboration with several other men, he said.

Denies Being Major Company

From 1924 to 1929 Columbia distributed its pictures through states' rights exchanges, he said, and at no time sought release through any of the majors. In 1929, Columbia set up a national distributing system, but this did not mean that it became a major company, he insisted.

In response to a question which sought his admission that only the majors had the facilities to make Class "A" films, Cohn declared that "all companies make good pictures." Metro was the most consistent in making good pictures, he said in answer to a direct question. Asked to name the second best, he promptly replied: "I am afraid you are going too far with me."

Quiz Jack Cohn Friday

Wright frequently attempted to obtain a concession from Cohn that Columbia became a major company in 1929 when it set up its own distribution system. Cohn continued to assert that Columbia was an independent and declared that it had made Class "A" pictures before 1929.

Examinations will continue on Friday with Jack Cohn, vice-president, taking the stand. Abe Montague, sales manager, will not testify this week because of illness. Officials of Universal who were scheduled to testify next week have obtained a postponement of their examinations until March, Wright announced.

Freeman Is Elected Head of Producers

(Continued from page 1)

Mannix, first vice-president; Cliff Work, second vice-president, and Fred W. Beetson, reelected executive vice-president. Mannix succeeds Jack L. Warner who asked to be relieved of duties because of the press of studio production work.

The board of directors, composed of Harry Samuel, Goldwyn, Mannix, Freeman, Hal Roach, Schenck, Work, Walter Wanger and Jack Warner, remains unchanged with the exception of the addition of James Roosevelt who was named as member of the Association today.

Tips on Exploitation

Paramount Starts 'Seventeen' Contest

Contests in 17 key cities to select as many "Miss Seventeens," who will be taken to Hollywood by Paramount to attend the press preview on Feb. 1[illegible] of Booth Tarkington's "Seventeen," have started.

The contests are being conducted with the cooperation of a local newspaper in each of the following cities: Kansas City, Pittsburgh, Birmingham, Buffalo, Chicago, Columbus, Dallas, Denver, Detroit, Des Moines, Houston, Little Rock, Memphis, Minneapolis, Nashville, Omaha and Salt Lake City.

2,000 Have Applied In Monogram Contest

More than 2,000 applications have been received for the Uncle Don-Monogram talent contest, which will continue through February over a Mutual national network. The winners will be flown to Hollywood via United Airlines, and will be cast in a picture to be produced by Monogram.

Legion Dinner Aids Albany Run of '69th'

Albany, Feb. 5.—"The Fighting 69th" was aided here when the American Legion state legislative dinner was held here the night before the picture opened. Manager Andy Roy of the Strand held American Legion night on the first playdate evening.

Reporter Contest Plugs 'Girl Friday'

Seattle, Feb. 5.—An exploitation tieup was arranged here for "His Girl Friday" by Manager Leroy V. Johnson of the Liberty, with the Seattle *Star*. The paper ran a contest to select the best girl reporter in Seattle, who was offered a week's job at a salary of $50 during the first week of the picture's engagement.

Free Shaves Plug 'The Demon Barber'

Philadelphia, Feb. 5. — For the showing of "The Demon Barber of Fleet Street," William Wolf, manager of the Allegheny, set up a barber chair in his lobby and offered free shaves to patrons.

Ship Model Contest Aids 'Rulers of Sea'

Philadelphia, Feb. 5.—Philadelphia Hobby League was solicited by the State Theatre to sponsor a model ship display contest. Three prizes were awarded for the best entries and all ship models were on exhibition in the theatre lobby. The stunt tied in with the showing of "Rulers of the Sea."

Large Family Search Plugs 'Child Is Born'

Philadelphia, Feb. 5.—For "A Child Is Born," Jack Lexy, manager of the Broadway, has started a search for the neighborhood's largest family for a private showing of the picture. Family's testimonial will be used in the advance advertising and publicity. Lexy claims that the largest brood brought to his attention to date is a family of 21.

Theatre and Personnel Notes

Kansas City Area Changes

Kansas City, Feb. 5.—Changes in theatre ownership in the territory include: Lathrop, Mo., where Fred Hall has taken over the Lathrop from George Owens; Pierce City, Mo., where Huston Crab now is operating the Strand, former Commonwealth house; Trenton, Mo., where G. J. Spencer has sold the Ritz to Leland Lay, and Norwich, Kan., where H. L. White has reopened the Norwich.

Take Schenectady House

Schenectady, N. Y., Feb. 5.—The Mount Pleasant, dark recently, is being taken over by a New York firm which operates the Stanley and other theatres there. The theatre name will be New Metro, with interior and exterior renovations, new marquee and remodeling under way now before its opening early in February.

Takes Ontario Theatre

Toronto, Feb. 5.—The Allen circuit, operating as Premier Theatres, has taken over the Maitland, Ingersoll, Ont., an independent house owned by T. D. Maitland, who will continue as manager. It has 500 seats. The Majestic, Stratford, Ont., has been reopened by the Allens after repairs.

Remodel in North Creek, N. Y.

North Creek, N. Y., Feb. 5.—Happy Hour Theatre will be closed Feb. 24 for a month with its reopening planned for Easter Sunday, March 24. During the lay-off Phil Baroudi will install new seats, projectors, sound air and heating conditioning at an estimated cost of $10,000.

Canadian House Opens

Toronto, Feb. 5.—The Choquette has been opened at Kenogami, in the Northern mining country, by Leo Choquette, who also operates theatres at Farnham and Waterloo, Que. The new house has 400 seats.

Plan Bowling in Theatre

Wethersfield, Conn., Feb. 5.—The new 750-seat Wethersfield Theatre, under construction, will have provision for bowling alleys as well, according to the Shulman-interests, operators of Webster and Rivoli, Hartford.

Renovate Waldorf Here

The Waldorf, 900-seat theatre at 50th St. and 6th Ave., will close in about two weeks for renovation. New front, new seats, air conditioning and a new marquee will be included in the project.

Frisco House Remodeled

San Francisco, Feb. 5.—The Midtown, of Golden State Theatres, has been completely renovated and refinished. Reek A. Feliziani is resident manager.

Renovate Telenews House

San Francisco, Feb. 5.—The Telenews Theatre is undergoing complete reconditioning and repainting in the lobby, lounge, and recreation room.

Opens Alabama Theatre

Linden, Ala., Feb. 5.—The Dianne, a new theatre, has been opened here with J. E. Williams as manager.

Leases Bronx Theatre

New Era Management Corp. has leased to Kay Theatres, Inc., for 21 years a theatre to be built near the proposed Metropolitan Housing Development in the Bronx, at an aggregate rental of more than $250,000. The theatre is expected to be ready about June 1. Berk & Krumgold handled the deal.

Toronto Company Formed

Toronto, Feb. 5.—Following the death of William L. Stewart, veteran owner of the Rex, London, Ont., local interests have organized Rex Theatre, Ltd., to take over the theatre, for which Rodney Smith has been appointed manager.

Plan Philadelphia Theatre

Philadelphia, Feb. 5. — A one-story theatre will be built on the site of the demolished Astor at a cost of approximately $250,000. The house will be built for Northeastern Theatres, Inc., with the Warner Circuit operating.

Manages Texas Drive-In

Corpus Christi, Texas, Feb. 5.—Gene Lacy has been named manager of the Texas Drive-In Theatre, built by Peter and Nick Katsaris and G. B. Winter and recently purchased by the brothers from Winter.

Rifkin Acquires Five

Boston, Feb. 5.—Liberty Theatres Corp., of which Herman Rifkin is head, has acquired from the Winchester Amusement Co. five houses in Springfield, the Phillips, Strand, Liberty, Jefferson and Garden.

Opens Connecticut House

Broadbrook, Conn., Feb. 5.—Henry Phaneuf has opened the Broadbrook, under lease from Nathan Lampert. Phaneuf, who formerly operated the Jodoin Theatre, Baltic, Conn., will run the 350-seat house.

Open Vancouver House

Vancouver, B. C., Feb. 5.—The new Lux has opened here. It is the reconstructed Princess, a subsequent run house. It was rebuilt for A. B. Calori and seats 870.

Building New Marquees

New Haven, Feb. 5.—Loew's is furnishing the Palace, Meriden, Palace, Hartford and Elm St., Worcester, Conn., with new marquees.

Buys Theatre in Texas

Karnes City, Texas, Feb. 5.—The Karnes has been purchased by David Smason, former orchestra leader of the Majestic, San Antonio.

Charter Virginia Company

Grundy, Va., Feb. 5.—Smith Theatres Corp. has been chartered here with maximum capital of $30,000. C. E. Smith is president.

Warners to Rebuild House

Bristol, Con., Feb. 5.—Plans are being drawn for a new Warner house to replace the Bristol, destroyed by fire.

Start Theatre in Houston

Houston, Feb. 5.—Work has started on a $125,000 theatre seating 1,200 here.

Named Nebraska Manager

Des Moines, Feb. 5.—Nathan Sandler has named William Mack, formerly manager of Central States Theatre Corp., theatres at Fremont, Neb., to manage his Northwood at Northwood, Iowa. He replaces Foster C. Ingram, who goes to Fremont in an exchange of positions.

Closing Texas Theatre

Teague, Tex., Feb. 5.—J. G. Long, owner of the Star and Ritz here, will close the latter theatre soon. He acquired the Plaza from R. B. Weatherall of Madisonville, Tex., retaining Floyd Faubian as senior manager here.

Higdon Named Manager

Kansas City, Feb. 5.—Griffith-Dickinson Theatres, Inc., has named Louis Higdon to succeed Jack Sage as manager at Marceline, Mo. Sage has gone to Morris, Ill., for the Anderson group.

Open Pittsburgh Theatre

Pittsburgh, Feb. 5.—The new Gerard, operated by the Alpine circuit, has opened in suburban West View. Seating 750, the Gerard is managed by Harry Roney.

New Orleans Theatre Firm

New Orleans, Feb. 5.—Charter has been filed here for incorporation of S. and G. Amusements, Inc., by Philip A. Sliman, president, and Fred F. Goodrow, secretary-treasurer.

Williams Plans House

Waldron, Ark., Feb. 5.—K. Lee Williams Amusement Co. has started construction here of the new Pine, which will bring the circuit to 14 houses in Oklahoma and Arkansas.

Building Alabama House

Riverview, Ala., Feb. 5.—Ground has been broken for the erection of the Riverview, which will represent an investment of approximately $35,000.

Building in Louisiana

Lake Charles, La., Feb. 5.—A new 600-seat theatre to cost $25,000 is to be built in Westlake, construction to start about March 1 for the Southern Amusement Co.

Texas Firm Formed

Houston, Tex., Feb. 5.—Joy Theatre, Inc., Dallas, has been incorporated at Austin by T. G. Teeter, Percy Wade and M. L. Head.

Halts Construction

Waterbury, Conn., Feb. 5.—Frederick Van Doren has halted construction of his new theatre until warmer weather.

Reopen in Atlantic City

Atlantic City, N. J., Feb. 5.—The first-run Strand, Boardwalk house, dark for several weeks, has reopened.

Reopen Florida House

Plant City, Fla., Feb. 5.—The Capitol here has reopened. A Sparks house. Remodeling cost $10,000.

Williams Opens Theatre

Linden, Ala., Feb. 5.—J. E Williams has opened the new Linden here.

RCA's Television Relay System Uses FM Transmission

RCA's new system of radio relay for television employs the frequency modulation method of transmission, it was learned yesterday. The original announcement was silent on the type of modulation to be employed.

It was stressed, however, that the relay system can also work on amplitude modulation, although FM is more desirable. RCA engineers insist that the company holds many basic patents for FM transmission.

Returning from a weekend trip to Chicago where he addressed a joint meeting of the American Institute of Electrical Engineers and the Institute of Radio Engineers, Major Edwin H. Armstrong yesterday declared that interest in the Middle West is at a high pitch.

Armstrong pointed out that 12 FM stations now operate on a regular basis, that four additions are expected within the next few weeks and that 10 more have received FW licenses. Armstrong's station in Alpine, N. J., now transmits CBS programs from 9 A.M. until 11 P.M., although the regular hours are scheduled to start at 4 P.M.

F. M. Broadcasters, Inc., organization of stations using FM, will hold meeting in Washington on Feb. 26, prior to the start of F.C.C. hearings on Feb. 28. They will seek the allotment of 15 channels for FM stations instead of the present five with provision for future expansion. Increases of power from the present one kilowatt to 50 k.w. also will be sought. Full commercialization through the granting of regular instead of experimental licenses will be asked.

Firm Will Produce All-Negro Pictures

HOLLYWOOD, Feb. 5.—Jed Buell today announced incorporation of Dixie National Pictures, Inc., with Ted T. O'Day, Atlanta exchange man, as president, Buell as vice-president and executive producer, and Jack Coyle and Rev. James K. Friedrich as board members. The company will produce and distribute, starting with the production of a series of eight all-Negro films. Coyle and Friedrich recently produced "The Great Commandment," which was purchased by Twentieth Century-Fox.

Majors Get Early Nashville Decision

NASHVILLE, Feb. 5.—Federal Judge Elmer D. Davies indicated that he would grant, "in part," defendants' motions for a bill of particulars in the Government's anti-trust suit against Crescent Amusement Co. and large distribution companies, following arguments which were concluded here on Saturday.

Film Division Chiefs Named in Finn Drive

Jack Connelly, former general manager of Pathe News, has been appointed in charge of publicity of the motion picture division of Herbert Hoover's Finnish relief campaign. Leslie E. Thompson is chairman and Vincent Hart director.

Five Continued Runs Bring Excellent Grosses to Broadway

With the opening of "Pinocchio" tomorrow evening at the Center, five Broadway houses will be housing films for continued runs, the largest number in a long while.

Over the weekend, "Little Old New York," with a stage show, established itself at the Roxy where it played to 55,246 admissions in three days for an estimated gross of $27,536.

At the Strand, "The Fighting 69th," with Paul Whiteman's band on the stage, rolled up an estimated $55,000 for its first week and clicked over the weekend for an estimated $29,000.

"Geronimo" is due at the Paramount tomorrow morning while "Swiss Family Robinson" goes into the Music Hall on Thursday. "Gone With the Wind" is still playing to capacity houses at the Capitol and Astor where it registered an estimated $75,000 and $22,000, respectively, during the seventh week.

In the second week at the Rivoli, "Grapes of Wrath" should gross an estimated $50,000 and holds indefinitely.

Five days of the second week of "The Shop Around the Corner," with a stage show grossed an estimated $55,000.

Over the weekend, "Remember the Night" took an estimated $12,000 at the Paramount, with Enoch Light's band on the stage. The third week, which ends tonight, should bring an estimated $25,000.

Business was strong over the weekend at the Hollywood where "The Blue Bird," on two-a-day, drew an estimated $3,750. The second week, which ended Friday brought an estimated $8,900. At the Rialto, "Green Hell" produced an estimated $13,000 for the first week and is held over for a second.

Big Screen Color Television Proves Success; Film Threat

(*Continued from page 1*)

for better definition of picture and synchronization with sound.

RCA engineers explained that they have worked for years on television transmission up to 1000 lines, within the limits of FCC bands, and determined to their own satisfaction that within that limit, a 441-scanned line picture gives the best detail and best definition while with a wider band they get a jerky picture.

Commissioners were also shown RCA's one kilowatt frequency transmitter and signal generator, the manufacture of receiving sets, equipment and advance developments of the inconoscope, the transmission tube, which gave promise of continuing improvements in the definition of 441-line pictures.

Waiting for FCC Standards

The Commissioners were told that RCA is prepared to bring out television as a full grown industry once standards are set by the F.C.C., explaining that stations are already lined up for the development of a television network by means of relay transmitters, that transmitters and all necessary station equipment is being manufactured and that they have even set up a service department for television stations.

Viewing the demonstration were F.C.C. Chairman Fly and Commissioners Walker, Brown and Thompson along with Dr. L. T. Wheeler, chief of the Commission's technical information division; William H. Bauer, F.C.C. attorney, and George O. Gillingham, the commission's publicity director.

From RCA were George K. Throckmorton, president of the manufacturing company; Robert Shannon, executive vice-president, along with the other vice-presidents in charge of respective divisions; E. W. Engstrom, director of research; Thomas F. Joyce, in charge of advertising; O. B. Hanson, chief engineer of the National Broadcasting Co. in New York, and all the research engineers at both the Camden and Harrison, N. J. laboratories.

At Philco, where the demonstration was in charge of William H. Grimditch, vice-president in charge of engineering, and David Grimes, chief engineer, the F.C.C. party was taken to the various homes of Philco engineers in the suburbs to view transmission on test receiving sets. Philco has made no immediate plans to put its sets out on the open market.

The significance of the demonstration was two-fold. The Philco set offers a new innovation in a built in aerial with picture transmission at 605 scanned lines, approximating a perfect photograph. With a built-in loop, a dial on the set enabling the set owner to control the direction of the aerial, Philco engineers claim that diathermy interference, which makes for hum trouble, is eliminated and thus makes for better synchronization.

Definition is Acclaimed

By running diathermy machines a mile away from the homes of the engineers, a practical demonstration of hum trouble was shown to the commissioners. Further, the built-in loop means the reduction in the total cost of the receiving set since the construction of an outside aerial for sets on the market today is considered an expensive item.

Due to the elimination of diathermy interference and by running the speed of frames at 24 per second, the same as in motion pictures, Philco engineers have been able to step up the definition of pictures televised to 605 scanned lines, contrasting the 441 line scanning to the 60 screen of newspaper pictures as compared to the 80 screen in slick paper magazines.

Another feature of the Philco set demonstrated was the use of a flat-faced tube as compared to the round-faced tubes on the sets in use today. The flat surface eliminates distortion of the picture as one walks away from the receiving set.

Black and white films and a live talent sketch, transmitting from W3XE, Philco's experimental station at the plant, were used for the demonstration. After viewing Philco's one kilowatt transmitter, the Commissioners returned to Washington, reserving comment on all that they had seen and heard on their five-day inspection tour,

Radio Brevities

AN RCA demonstration of large screen television is being held up because of a publicity office faux pas.

Last week, the publicists were debating whether to release the story about radio relays for television or the large screen. Since the F.C.C. had specifically requested a showing on the large screen, it was decided not to offend the Commission by a premature demonstration. Instead the relay story was released.

Meanwhile, the New York *Times* wrote an editorial calling attention to the possibilities of network television and criticizing the F.C.C. for delaying commercialization of the new art. The F.C.C. became offended because Commissioners believed that RCA was trying to place pressure on the Commission. Now, it has been decided not to release any more stories until the F.C.C. is finished!

Program News

R. J. Reynolds Tobacco Co. is adding a third show over NBC for Camel cigarettes to be called "Luncheon at the Waldorf." Fifty guests will be invited to attend a free luncheon at the Waldorf-Astoria to be interviewed by Ilka Chase. It will be heard Saturdays at 1:30 P.M. over 44 NBC-Blue stations. . . . "Betty Moore Talks on Interior Decorating" returns to NBC-Red on Saturday, Feb. 24, at 10:30 A.M. with 44 stations, the largest network it has used thus far. Benjamin Moore is sponsor.

To the Opera's Rescue

Radio appeal for aid for the Metropolitan Opera has resulted in 21,300 replies, George A. Sloan, chairman, announced. About 88 per cent contained $1 contributions and the rest ranged from $5 to $100.

Officers Installed By Bookers Club

Officers of the newly-formed Motion Picture Bookers Club were installed last night at the Cafe Loyale with more than 100 persons attending.

Guests of honor were Ted E. K. O'Shea of M-G-M; Charles Stern, U. A.; Moe Streimer, U. A.; C. Eisman, U. A.; Max Fellerman, RKO; John Benas, Skouras; Dave Levy, Universal; Irving Wormser, Columbia; Ben Abner, M-G-M, and Morris Epstein, Republic.

Arthur Greenblat of Alliance Films was toastmaster.

Installed were Harold Kline, president; Alec Arnswalder, vice-president; Edward Susse, financial secretary; Ben Levine, treasurer; Dora Fried, recording secretary, and Herb Richek, sergeant-at-arms.

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Brazil Plans Drastic Acts; Majors Fight

Big Boost in Censorship Fees Is Proposed

New film legislation calling for a drastic increase in censorship fees and for reciprocal distribution of certain Brazilian pictures by American companies has been proposed in Brazil.

So seriously do home office foreign departments regard the new proposals that representations were made at once to the American legation at Rio de Janeiro, protesting all phases of the new films measure.

Representations hold that the proposals are in violation of the United States-Brazil trade treaty and, specifically, the treaty's guaranties against increases in taxes and other levies over the level prevailing at the time the treaty was signed.

The new censorship fee would add approximately $5 per reel to the present fee, an increase of about 270 per cent. It will apply to short subjects as well as features.

The reciprocal distribution proposal provides for the distribution by American companies outside of Brazil of one native newsreel or travelogue for every 10 newsreels or travelogues sent into Brazil by American distributors.

Adolph Zukor, Paramount board chairman, and John W. Hicks, vice-president and foreign department head, will confer with Argentine government and trade officials on pending film legislation following their arrival in Buenos Aires next Sunday.

The two Paramount officials, currently on a business survey and good-will tour of Central and South America, left Santiago, Chile, last Sunday for Buenos Aires.

Associates Honor Wurtzel Saturday

Hollywood, Feb. 6.—His associates, past and present, will honor Sol M. Wurtzel, 20th Century-Fox executive producer, Saturday night at Hillcrest Country Club on the occasion of his 25th anniversary in the film business.

The informal gathering will be addressed by Darryl F. Zanuck and Joseph M. Schenck, among others. Among the guests will be: Tom Mix, Buck Jones and Frank Lloyd, with whom Wurtzel had worked. The actual anniversary fell last October but the celebration was delayed because of business conditions.

Latin America Film Funds Voted Down

Washington, Feb. 6.—Requests of the state department for funds to initiate the motion picture phase of President Roosevelt's Latin American program were rejected today by the House Appropriations committee in reporting the department's supply bill for the coming fiscal year. An item for purchase of projection equipment for embassies in Latin America was eliminated from the bill.

Films Needn't Fear Television—Morton

Alfred H. Morton, NBC vice-president in charge of television, yesterday discounted claims that large screen television may serve as a threat to the motion picture industry. He issued the following formal statement:

"I do not believe that television, even large screen television, offers any threat to the motion picture industry. On the contrary, large screen television was developed for the motion picture theatre.

"It should be the means of attracting wider audiences through the presentation of spectacular news events while these events themselves are in the making. As for the threat of home television, I find it impossible to discern any threat to the movies. Mrs. Smith will always put on her

(*Continued on page* 6)

SEC Report Shows William Goetz Sale Of 6,300 Shares

Washington, Feb. 6.—Disposition by William Goetz of 20th Century-Fox, of 6,300 shares of his company's common stock in a series of sales ranging in volume from 100 to 1,800 shares, was reported by the Securities and Exchange Commission in its semi-monthly summary for December.

The largest of a number of year-end transactions reported by officers and directors of film companies, the sales reduced Goetz' holdings to 178,343 shares of the common, in addition to 55,284 shares of $1.50 preferred stock.

Next heaviest transaction was the disposition by J. Robert Rubin of Loew's of 1,400 shares of common stock of that company, reducing his holdings to 30,015 shares. Also in Loew's, Leopold Friedman disposed of 100 shares of common stock, reducing his holdings to 712 shares, and Sam Katz disposed of 750 shares, leaving him with but two shares.

Disposition of 500 shares of Warner Brothers common was reported by Morris Wolf, Philadelphia, leaving him with 450 shares, in addition to 167 shares held in a trust, at the close of the year. Acquisition of 200 Universal Corp. common voting trust certificates was reported by Charles D. Prutzman, bringing his total to 900.

Other transactions reported included the acquisition by Allan P. Kirby, Jersey City, Pathe director, of 86 shares of common stock through Holding Company B, bringing his interest

(*Continued on page 7*)

Films Prosper in Australia; Continue Exporting of Cash

Sydney, Feb. 6.—Depending almost entirely on film imports for its theatres, Australia is not expected to follow the lead of Great Britain in drastically restricting the export of currency.

The Government, according to trade opinion here, will continue indefinitely the provision instituted at the start of the war, whereby film companies may withdraw their deposits every two months, in six equal installments. Withdrawals, however, are limited to the amounts taken out in 1939.

Although the Government has classified films as "non-essentials" in its regulations governing imports for the war period, trade leaders do not anticipate any moves to restrict their import.

Film business is prospering here as a result of the war which has brought new money into the country through large-scale buying of wheat, wool and other commodities by the British Government. Since Australia is predominantly an agricultural country, trade leaders believe that this assures economic prosperity for some time to come.

One of the effects of the war is that the Australian Government, seeking to conserve its cash, is encouraging domestic manufacture to supplant imports to some extent. The Government is subsidizing film production to the extent of $200,000. The first film partially financed by the Government loan subsidy is "Rudd M. P.," now in production at Cinesound.

Cinesound plans four features this

(*Continued on page 7*)

SAG Flare-Up Wins Backers Of 'One Union'

Drastic AGVA Shakeup Is Believed Near

Hollywood, Feb. 6.—The "one big union" issue, dormant for months, was forced to the fore yesterday by Screen Actors Guild which elicited assurances from American Federation of Radio Artists and Actors Equity that both were willing to see its early development.

A drastic shakeup of the entire American Guild of Variety Artists organization and a change of its labor policy loom as a result of conferences this week of Associated Actors and Artistes of America branch executives here behind closed doors.

Threats of secession by S. A. G. brought Emily Holt and George Heller of A. F. R. A., and Walter Greaza of Equity to the Coast by plane last weekend. After hearing them, the S. A. G. board appointed a subcommittee for further conferences and will hold a special meeting Thursday night.

Important Questions Arise

Among important questions to be discussed are repayment of loans made by S. A. G. to A. F. R. A. and A. G. V. A.; plans of cooperation between A. G. V. A. and other A. F. of L. unions in Seattle, Chicago and other A.G.V.A. organization centers; and establishment of national officers for A. G. V. A.

Principally, however, S. A. G. is interested in the "one big union" plan. The Guild is reported to have lent $30,000 to A. G. V. A. and to have spent about $25,000 in the fight with the I. A. T. S. E. last Summer. A. F. R. A. is reported to have borrowed from $30,000 to $40,000 from S. A. G. during its attempt to get contracts with the networks.

Another reported point of irritation is the claim of some Equity members that a great number of members of S. A. G. who work exclusively in Hollywood but retain Equity cards,

(*Continued on page* 6)

'Pinocchio' to Have Premiere Tonight

Walt Disney's "Pinocchio" will have its world premiere at the Center Theatre tonight, with all of the fanfare attendant upon Broadway openings to be accorded the new feature length color cartoon. The picture will begin a continuous run at popular prices tomorrow.

Warners, Musicians Seek to Settle Fight

Warner circuit executives and officials of Local 77, American Federation of Musicians, in Philadelphia, have conferred on a settlement of the dispute in that city which has resulted in the picketing of several theatres. The union seeks reemployment.

Further conferences will be held, and it is possible that a settlement may be reached shortly. Warners have no vaudeville in Philadelphia at present. The Earle, which had stage shows, currently has "Gone With the Wind" in a third week and the film is scheduled to run three more weeks. "Grapes of Wrath" has been booked to follow.

Picketing by the musicians is in progress at the Earle, Fox and five neighborhood theatres for the third month.

Columbia Queries Hearing Postponed

Hearing on the Government's objections to Columbia's separate list of interrogatories in the New York antitrust suit, which was scheduled yesterday before Federal Judge Goddard, was postponed to Friday.

Columbia plans to file objections to the Government's interrogatories this week, and may argue them at the same time Federal objections are heard.

All defendants have until Feb. 15 to answer the Government's interrogatories. The latter has until March 1 to answer company interrogatories, which now consist of a consolidated list of 50 questions, in which all defendant companies except Columbia have joined.

◂ *Purely Personal* ▸

JOSEPH McCONVILLE, Columbia foreign department head, is en route to Cuba from Mexico to confer with ERNESTO P. SMITH, Columbia manager in Cuba. McCONVILLE is scheduled to return to New York about Feb. 15.

●

WILLIAM F. RODGERS, ERNO RAPEE, MAX A. COHEN, TED O'SHEA, TOM CONNORS, ED SAUNDERS, A. P. WAXMAN, ARTHUR MAYER, DAVID A. LEVY and ROBERT STACK at Nick's Hunting Room in the Astor for lunch yesterday.

●

BEN MIGGINS, 20th Century-Fox Continental European manager with headquarters in Paris, arrives tomorrow on the *Washington* for conferences with WALTER J. HUTCHINSON, director of foreign distribution.

●

WILLIAM SUSSMAN, CHARLES E. McCARTHY, HERMAN WOBBER, HAROLD ORLOB, I. E. LOPERT, HARRY BUXBAUM, NAT KARSON and ARTHUR KRIM lunching at Sardi's yesterday.

●

ROBERT STACK, Universal player, will be among the guests at the Finnish Relief Fund supper dance tonight at the Waldorf Astoria.

●

AKIM TAMIROFF arrives in the city Thursday from the Coast for a vacation. He will be accompanied by his wife, TAMARA SHAYNE.

●

JAMES CAGNEY, Warner star, left for Hollywood yesterday with MRS. CAGNEY.

●

JOHN M. STAHL is ill at the Waldorf Astoria.

W. G. VAN SCHMUS, managing director of Radio City Music Hall, is visiting Hollywood on a business and pleasure trip. He arrived there after a week at La Quinta.

●

GRADWELL L. SEARS, Warners' general sales manager, and CARL LESERMAN, assistant general sales manager, return today from Chicago where they attended a company sales meeting.

●

MRS. AMBROSE KUEBLER, manager of the Astra and Tivoli in Jasper, Ind., underwent a major operation at Sts. Mary and Elizabeth Hospital in Louisville, Ky., and is convalescing.

●

SAM DEMBOW, JR., Paramount home office theatre executive, is in Newburgh, N. Y., for business conferences with GEORGE WALSH, Paramount theatre associate there.

●

LOU BROWN, Loew-Poli publicity chief at New Haven, MRS. BROWN and SHIRLEY LOU, their daughter, leave for Coronado Beach, Fla., by car this week.

●

MONROE GREENTHAL, United Artists exploitation manager, will arrive from the Coast today by plane after viewing the company's new product.

●

ARTHUR ISRAEL, assistant to BARNEY BALABAN, Paramount president, returned yesterday from a brief southern trip.

●

GEORGE J. SCHAEFER, RKO president, is expected back from the Coast in about two weeks.

●

MR. AND MRS. OSCAR A. DOOB leave Friday for the Coast.

●

SAM SHAIN returned last night from Albany.

Writer Guild Mails Neely Bill Queries

HOLLYWOOD, Feb. 6.—Board of directors of the Screen Writers Guild last night authorized the mailing of queries on the organization's Neely bill stand to all members.

Three questions are asked: Do you oppose the Neely bill because of censorship? If you do oppose the Neely bill, do you think we should take a stand against monopoly practices? Shall the Screen Writers Guild take any stand at all? Ballots are expected to be tabulated in 10 days.

Harry Gold Leaves For Studio Parleys

Harry Gold, Eastern general sales manager of United Artists, left for the Coast yesterday. He will stop off at Charlotte, Atlanta and Dallas en route West. At the studio Gold will join Murray Silverstone, company head, in conferences on 1940-'41 distribution plans. Mrs. Gold is accompanying the executive.

'Daughter' to State

Paramount's "The Farmer's Daughter" will be first run at Loew's State on Broadway the week starting Feb. 15. The State seldom shows a picture first run. Paramount's "Gulliver's Travels," which ran four weeks at the Paramount, was originally booked for the State on that date.

Newsreel Parade

Arrival in New York of Finnish runners and selection of Chicago for the Democratic convention share the spotlight in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 43 — Fire disaster in Japan. President of Turkey directs relief work following earthquake. Soviets suffer defeats in Soumussalmi and Mannerheim regions. U. S. Finns sail to fight. Mardi Gras in New Orleans. Farley announces Chicago convention. Justice McReynolds celebrate birthday. Senator Taft goes fishing. Finnish runners arrive here. LaGuardia urges water economy. Track meet in New York. Speed skate contest. Patty Berg wins golf game.

NEWS OF THE DAY, No. 241—Fire destroys Japanese city. War in Finland. Mardi Gras in New Orleans. Democrats pick Chicago for convention. News photos on exhibition. Water famine threatens New York. Patty Berge in comeback. Millrose games at Madison Square Garden. Finn runners here for relief funds. Tames wolves in Canada.

PARAMOUNT NEWS, No. 46—Finn runners arrive, see Millrose games at Garden. Walter Johnson is candidate for Congress. Senator Taft fishing. Chicago picked for Democratic convention. Dry spell in New York. Fire in Jap business center. Display best news photos. Parade in New Orleans.

RKO PATHE NEWS, No. 58—Finns here sail for homeland while two Finn runners arrive on money-raising mission. Senator Taft on fishing trip. Nazi crew detained in California. Barrymore returns to Broadway. Millrose meet in New York.

UNIVERSAL NEWSREEL, No. 847—Chicago picked for Democratic convention. Noted Finnish athletes arrive. Water shortage menaces New York City. Supreme Court: Hughes observes anniversary; McReynolds celebrates birthday; Murphy dons robes. No groundhog on groundhog day. New Orleans Mardi Gras. Senator Taft plays golf in Miami. Tom Dewey in New England. Ski meet in St. Paul. Track meet in Madison Square Garden.

Settle RKO Action Against Music Hall

Stipulation was filed yesterday in the U. S. District Court settling the suit of RKO for $164,751 against the Center Music Hall, Inc. and Rockefeller Center, Inc. Terms of the settlement were undisclosed.

Suit was filed in 1936 with RKO claiming breach of a five-year exhibition contract which called for the exhibition by the defendant of a minimum of 22 pictures in the 1935-'36 season. The plaintiff claimed that the defendant exhibited only 11 pictures and failed to pay minimum rental under the contract on a number of them.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Fly American
OVERNIGHT TO CALIFORNIA
VIA
The Southern Sunshine Route

● Over the fields of Dixie, over the sunny plains and golden deserts of the Southwest, four American Flagships every day whisk travelers to their destinations in luxurious ease and comfort. Giant Skysleepers . . . complimentary meals . . . stewardess service. Make your next trip to the West via this nature-favored route. For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices, 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

"THE GRAPES OF WRATH"

in third week

continues blasting all

22-year Rivoli records!

Forced by crowds to keep open 19½ continuous hours!

Over the week-end Rivoli doors were opened at 8:30 a. m. Unabated S. R. O. kept theatre from closing till 4 a. m. following morning!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

WEDNESDAY LOS ANGELES EVENING HERALD AND E

'SWISS FAMILY ROBINSON' LA

SWISS FAMILY ROBINSON

GENE TOWNE
presents

A THE PLAY'S THE THING Production

RKO RADIO PICTURES

ss: JANUARY 31, 1940 WEDNESDAY *** B—7

S IN SMASH HIT CLASS

"RKO can well puff out its chest along with those two new producers, Gene Towne and Graham Baker, for a production that definitely lands in the smash hit class. It's swell adventure."

—Jimmy Starr, Los Angeles Herald & Express

"Hollywood's parade of great motion pictures continues. Joining such recent smash hits as 'Gone With The Wind,' 'Abe Lincoln in Illinois,' 'Grapes of Wrath' and 'The Fighting 69th' is 'Swiss Family Robinson' . . . a motion picture that every member of the family should see."

—E. J., Los Angeles Examiner

"'Swiss Family Robinson' augurs well for Towne and Baker's 'The Play's The Thing' idea."

—Philip K. Scheuer, Los Angeles Times

"Pleasing entertainment for old and young alike." *—Harry Mines, Los Angeles Daily News*

Yes sir.. THE NEW PICTURE OPENING AT RADIO CITY MUSIC HALL THIS WEEK, IS . . .

—"A solid piece of wide-appeal merchandise . . . The story is one of the two or three most completely escapist stories ever written."
— M. P. Herald

—"The kind of film the whole family can enjoy . . . ACTION AND EXCITEMENT . . . Has deep appeal for all those with a desire to 'get away from it all.'" *— M. P. Daily*

—"An outstanding piece of entertainment."
— Variety Daily

—"An appealing picture, and should click strongly . . . DIFFERENT. A genuine accomplishment." *— Film Daily*

—"Definitely among RKO Radio's BIG PICTURES of the year." *— Box Office*

—"Real entertainment . . . moving, human drama . . . stirring action and thrilling spectacle . . . HAS ALL THE EARMARKS OF A SOCK HIT AT THE BOX OFFICE."
— Hollywood Reporter

with

THOMAS MITCHELL · EDNA BEST · FREDDIE BARTHOLOMEW · TERRY KILBURN TIM HOLT · BABY BOBBY QUILLAN

Directed by EDWARD LUDWIG   Produced by GENE TOWNE and GRAHAM BAKER   Screen Play by Walter Ferris, Gene Towne and Graham Bake

'Wind' Loop Smash Lead With $65,100

Chicago, Feb. 6.—"Gone With the Wind" broke records at the Oriental and Woods. The Oriental grossed $48,200 and the Woods $16,900. The Chicago, with "The Fighting 69th" and Andy Devine in person was another smash at $46,800.

Estimated takings for the week ending Jan. 31-Feb. 3:

"Remember the Night" (Para.)
APOLLO—(1,400) (35c-55c-75c) 5 days. Gross: $4,000. (Average, $6,000)

"The Fighting 68th" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Andy Devine with Revue. Gross: $46,800. (Average, $32,000)

"A Child Is Born" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)

"Gone With the Wind" (M-G-M)
ORIENTAL—(3,200) (75c-$1.10-$1.50) 7 days. Three shows daily. Gross: $48,200. (Average, $13,000)

"The Invisible Man" (Univ.)
"The Flying Deuces" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $12,600. (Average, $12,000)

"Housekeeper's Daughter" (U. A.)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. Gross: $12,800. (Average, $11,000)

"Henry Goes Arizona" (M-G-M)
STATE-LAKE—(2,700) (25c-35c-50c) 7 days. Stage: Sterling Holloway and Revue. Gross: $14,600. (Average, $12,000)

"Judge Hardy and Son" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $15,300. (Average, $14,000)

"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days. Two shows daily. Gross: $16,900)

'Wind' with $42,000 Sweeps Providence

Providence, Feb. 6.—Playing three shows a day at Loew's State, "Gone With the Wind" grossed $42,000. Only other good showing was at the Strand where "Remember the Night" and "Renegade Trails" drew $8,000.

Estimated takings for the week ending Jan. 30-Feb. 1:

"A Child Is Born" (W. B.)
"The Saint's Double Trouble" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,700. (Average, $6,000)

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (75c-$1.10-$1.65) 7 days. Gross: $42,000. (Average, $11,000)

"Invisible Stripes" (W. B.)
"The Gentleman From Arizona" (Mono.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $7,000)

"Remember the Night" (Para.)
"Renegade Trails" (Para.)
STRAND—(2,200) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $6,000)

"British Intelligence" (W. B.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Polly Jenkins' Plowboys; Mildred and Gus Mulcahy; Bert Walton; Jesse James; the Eno Troupe. Gross: $5,000. (Average, $6,500)

"The Shop Around the Corner" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $3,500)

"Eternally Yours" (U. A.) (3 days)
"Tower of London" (Univ.) (3 days)
"Destry Rides Again" (Univ.) (4 days)
"High School" (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,300. (Average, $1,700)

Stock Suit Hearing

New York Supreme Court Justice Valente yesterday referred an application of Educational Films Co., Inc. and Canadian Educational Films Co., Ltd., to dismiss a $10,000,000 stockholder suit to Referee Paul J. McCauley for hearings. Federal Judge Bondy appointed James F. Dealy as attorney for James A. Davidson, receiver of Educational in its bankruptcy proceedings.

Academy's Music Nominations Listed

Hollywood, Feb. 6.—Nominations in the music division for the Academy of Motion Picture Arts and Sciences awards, are as follows.

Best original score: "Dark Victory," Max Steiner; "Eternally Yours," Werner Janssen; "Gone With the Wind," Max Steiner; "Gulliver's Travels," Victor Young; "Man in the Iron Mask," Lud Gluskin and Lucien Moraweck; "Man of Conquest," Victor Young; "Of Mice and Men," Aaron Copeland; "Nurse Edith Cavell," Anthony Collins; "The Rains Came," Alfred Newman; "Wizard of Oz," Herbert Stothart and George E. Stoll; "Wuthering Heights," Alfred Newman.

Best score regardless of source of music: "Babes in Arms," George E. Stoll and Roger Edens; "Elizabeth and Essex," Erick Wolfgang Korngold; "First Love," Charles Previn; "Great Victor Herbert," Louis Lipstone; "Hunchback of Notre Dame," Al Newman; "Intermezzo," Lou Forbes; "Mr. Smith Goes to Washington," Dimitry Tiomkin; "Of Mice and Men," S. S. Van Keuren; "She Married a Cop," Cy Feuer; "Stagecoach," Richard Haveman, Frank Harling, John Leipold and Leo Shuken; "Swanee River," Louis Silvers; "They Shall Have Music," Alfred Newman; "Way Down South," Victor Young.

'Wind' New Haven Smash at $21,000

New Haven, Feb. 6.—The College Loew-Poli house, soared to $21,000 on "Gone With the Wind." "Geronimo" and "Rio" at the Paramount grossed $6,000, up by $2,000 from average.

Estimated takings for the week ending Feb. 1:

"Gone With the Wind" (M-G-M)
COLLEGE — (1,499) (75c-$1.10-$1.50) 7 days, 3 shows daily. Gross: $21,000. (Average, $2,700)

"The Shop Around the Corner" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $8,500. (Average, $8,000)

"Geronimo" (Para.)
"Rio" (Univ.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $6,000. (Average, $4,000)

"Raffles" (U. A.)
"Cisco Kid and the Lady" (20th-Fox)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $5,500. (Average, $5,000)

Films Needn't Fear Television—Morton

(*Continued from page* 1)

hat and coat and go out of the house on at least one evening of the week. And the family goes with her. In that is the theatre's guarantee of continued prosperity.

"Television needs motion pictures and we have been trying very hard to convince motion pictures that they need television. Movies will form a substantial part of television programming and, as time goes on, we will be able to pay their prices for them."

Ice Revue Sets Record

St. Louis, Feb. 6.—Sonja Henie and her ice revue established a new record here for a week's engagement of any single theatrical enterprise, grossing $120,000 during six nights. The entire week was marked by subzero weather. More than 80,000 persons packed the Arena here each night to see the show.

May Ease Quebec Children Film Ban

Montreal, Feb. 6.—Possibilities of a change in the law, to permit Quebec children to attend films, were hinted today by Wilfrid Girouard, Attorney General. The Government was reported not opposed to the plan to permit children to see pictures, carefully selected by a board of religious and other leaders interested in educational development and moral safeguarding of minors.

SAG Flare-Up Wins 'One Union' Support

(*Continued from page* 1)

exercise too great, an influence in Equity affairs.

Union officials in New York declare that they are mystified by the sudden flare-up of the S. A. G. on the question of reorganization.

It was pointed out yesterday that the report of Bernard Reis, accountant who was assigned to study the issue, is due on Feb. 15. With such a short period remaining, officials here believe that the S. A. G. action was premature.

On the other hand, the Guild asserts that administrative policies need not await the accountant's report. However, it is believed that assurances given Monday night in Hollywood may satisfy S. A. G. that the other branches have accepted the basic principle of establishing one big union.

Kenneth Thomson, S. A. G. executive secretary, has failed to announce whether he will accept a temporary post with A. G. V. A. The S. A. G. board is expected to decide tomorrow whether it will permit Thomson to take a leave of absence if he wishes to help A. G. V. A.

The subcommittee named to meet with Mrs. Holt, Heller and Greaza on the Coast consists of Walter Abel, Lucille Gleason and Noel Madison. The first two are Equity members. Thomson is also sitting in on the Coast conferences.

Settle Trust Suits; Trend Denial Made

Major companies who are defendants in local anti-trust suits or other litigation always have attempted to find some equitable settlement or means of adjudicating differences in advance of going to trial, home office attorneys said yesterday in commenting on reports that the recent settlement of several suits indicated a new procedure.

The settlement efforts are matter-of-course in almost any suit arising out of complaints concerning product supply and unreasonable clearance, it was said. The fact that more suits are not settled without a trial indicates only that the companies were unable to get together with complainants on what they regarded as an equitable solution.

The major distributors would rather go to trial on any suit of the kind than consent to what they believed to be an unjust settlement, it was said.

Philadelphia Gives 'Wind' Big $72,000

Philadelphia, Feb. 6.—"Gone With the Wind," in its second week at the Earle, established a new house record with $41,000 and at the Boyd took $31,000. "The Fighting 69[illegible] gave the Fox $29,000.

Estimated takings for the week ending Feb. 2:

"Green Hell" (Univ.)
"The Light That Failed" (Para.)
ALDINE—(1,700) (32c-42c-57c-68c) 4 days, 3 days. Gross: $8,100. (Average, $8,000)

"Balalaika" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 3rd run, 6 days; 2nd week, 1 day. Gross: $4,200. (Average, $2,600)

"Gone With the Wind" (M-G-M)
BOYD—(2,400) (86c-$1.14-$1.71) 7 days, 2nd week. Gross: $31,000. (Average, $13,000)

"Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 7 days, 2nd week. Gross: $41,000. (Average, $14,000)

"The Fighting 69th" (W. B.)
FOX—(3,000) (32c-42c-57c-68c) 7 days. Gross: $29,000. (Average, $13,000)

"The Shop Around the Corner" (M-G-M)
"Music In My Heart" (Col.)
KARLTON—(1,000) (32c-42c-57c-68c) 2nd run, 2nd week, 6 days; 1 day. Gross: $4,000. (Average, $3,000)

"Brother Rat and A Baby" (W. B.)
"Raffles" (U. A.)
KEITH'S — (2,200) (32c-42c-57c-68c) 2nd run, 6 days; 2nd run, 1 day. Gross: $4,600. (Average, $3,500)

"His Girl Friday" (Col.)
STANLEY — (3,700) (32c-42c-57c-68c) 7 days. Gross: $22,000. (Average, $14,000)

"He Married His Wife" (20th-Fox)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $4,500. (Average, $4,500)

'Girl Friday' Pulls $13,500, Cincinnati

Cincinnati, Feb. 6. — "His Girl Friday" took $13,500 at the RKO Palace, and "The Cisco Kid and the Lady," plus Count Berni Vici's "Comedie Francaise" on the RKO Shubert stage, gave that house $13,000.

Estimated takings for the week ending Jan. 31-Feb. 2:

"The Shop Around the Corner" (M-G-M)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,000. (Average, $12,000)

"His Girl Friday" (Col.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $13,500. (Average, $10,000)

"The Cisco Kid and the Lady" (20th-Fox)
RKO SCHUBERT—(2,150) (40c-60c) 7 days. Stage: Count Berni Vici's "Comedie Francaise." Gross: $13,000. (Average, $10,000)

"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1-$1.50) 7 days, 6th week. Gross: $16,500. (Average, at 35c-42c, scale, $6,500)

"The Invisible Man Returns" (Univ.)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $4,300. (Average, $5,000)

"The Days of Jesse James" (Repub.)
"Private Detective" (W. B.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,500. (Average, $1,500)

"Big Guy" (Univ.)
"Money to Burn" (Repub.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $700. (Average, $900)

"The Great Victor Herbert" (Para.)
KEITH'S—(1,500) (30c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $6,000)

Music Hall Reception

Dr. Alfredo Wyss, descendant of the author of "Swiss Family Robinson," and a number of distinguished Swiss residents of New York will attend a reception tomorrow at the Music Hall in connection with the premiere there of RKO's film of the same title. Terry Kilburn, featured player, and Gene Towne, producer, also will attend.

SEC Reports Stock Sales By Wm. Goetz

(Continued from page 1)

to 2,100 shares held direct, 1,000 through Holding Company A, 4,000 through Holding Company B and 600 through a trust; acquisition of 300 shares of Keith-Albee-Orpheum preferred by Malcolm Kingsberg, New York, director, giving him a total of 500 shares, and disposition of 300 shares of the same stock by Michael J. Meehan, holder of more than 10 per cent of the stock, reducing his holdings to 26,504 shares, and acquisition of 100 Columbia Pictures common voting trust certificates by Abraham Schneider, bringing his total to 504.

In Columbia Broadcasting System, Lawrence W. Lowman reported the disposition of 394 shares of Class A stock, reducing his holdings to 3,400 shares, and James M. Seward disposed of 200 shares of Class B, his entire interest.

Australia Allowing Export of Currency

(Continued from page 1)

year. Production is also starting at two or three other studios.

The production of official films for propaganda purposes is planned by the Information Propaganda Board. Film representatives on the board are Bernard Freeman, M-G-M managing director and chairman of the Motion Picture Distributors Association; Ken Hall, Cinesound studios; Gordon Ellis, representing distribution, and Sam Snider, representing exhibition.

These films will run about 1,000 feet and will be made at no cost to the Government. Regular rentals will be charged exhibitors, however. Alexander Korda's "The Lion Has Wings," which was made with the cooperation of the British Government, is doing big business here.

Nick, Weston Ouster Upheld in St. Louis

St. Louis, Feb. 6.—The ouster of John P. Nick, deposed head of the operators' union, and Clyde Weston, business agent, from control of Local 143 last April by Circuit Judge Ernest F. Oakley was upheld today by the St. Louis Court of Appeals.

The opinion affirmed Judge Oakley's refusal to revoke the appointment of receivers for the union. The opinion stated in part that "on the record before us there is no escape from the conclusion that there was no redress to be had by the plaintiffs by an appeal to tribunals within the organization." Nick and Weston were "either powerless or unwilling" to deny the evidence against them, the opinion added.

Bioff's Extradition Hearing Set Feb. 13

Sacramento, Cal., Feb. 6.—Governor Olson today set Feb. 13 as the date of the extradition hearing for William Bioff, I.A.T.S.E. leader, sought by Chicago authorities, who charge he failed to serve a six-month jail term 18 years ago.

Circuit Takes Over Free Milk Project

Lake Charles, La., Feb. 6.—When a city project to furnish nearly 200 school children with free milk was faced with failure as money ran out, officials of the Southern Amusement Co., through George Baillio, president, announced that it would sponsor continuation of the program in the future. The circuit operates four houses in Lake Charles.

'U' Studying Plans Of Recapitalization

Several plans of recapitalization are under consideration by Universal, but no final decision is likely to be made in the immediate future, company officials said yesterday.

Action of the company's preferred stocks on the New York Stock Exchange in registering a gain of almost 25 points in the past two weeks is based on anticipation of a recapitalization plan which will make provision for the five years of accumulated, unpaid dividends on the preferred.

Investors obviously are expecting a new issue of securities for which the outstanding preferred will be exchanged, with shares of a new common to be issued in payment of accumulated dividends.

Whole Play and Cast Will Go on Television

"When We Are Married," Broadway legitimate play, without cuts and with the regular cast, will be presented by NBC's television station Sunday night, Feb. 25. The cast will receive a full week's salary for the performance and two rehearsals. This will be the first time that a complete Broadway show will go intact before television cameras.

NBC refused to reveal what amount it was paying for the show. The producer will receive a flat fee out of which he must pay the cast. Several months ago Max Gordon was forced to cancel a preview of "Very Warm for May" because of Equity's insistence on a full week's pay.

January Billings Set NBC Record

NBC gross billings reached a new high during January when $4,405,208 was grossed over the Red and Blue networks. The increase over the same month last year was 9.2 per cent, and was 2.9 per cent over December, 1939. The Red grossed $3,496,393 for January, an increase of 8.9 per cent over the same month last year, while the Blue grossed $908,815, an increase of 10.5 per cent.

Club Postpones Dinner

Kansas City, Feb. 6.—The Variety Club inaugural dinner and dance, set for Feb. 8, has been indefinitely postponed due to conflicting dates.

Robinson as Franklin

Hollywood, Feb. 6.—Edward G. Robinson will be starred by Warners in "Benjamin Franklin." William Dieterle, who has been given a new contract, will direct.

Ontario Amusement Tax Aims Dropped

Toronto, Feb. 6. — The Ontario Government has abandoned its plan for restoration of the amusement tax during the present session of the legislature because of many protests against the restoration of the tax, according to a semi-official announcement.

The Government had planned to revive the ticket tax, which was abolished in 1937, in order to obtain $2,000,000 additional revenue annually, but the proposal has been dropped in the face of objections from theatre, labor, sport, hotel and other organizations.

"We've been swamped with protests," declared a Government representative. "Since it is difficult and costly to collect and in view of the great resentment, the Government has decided to forget it."

Theatre and film exchange corporations will be called upon to pay an increased profits tax, however, in what is regarded as an alternative measure which has been introduced in the legislature by Gordon Conant, attorney-general. It provides an increase from 2 per cent to 5 per cent in the Provincial levy on corporation income in all industries. The Conant bill has received its first reading.

The decision of the national Canadian Government to hold a general election March 26, because of criticism of the war program, has had the effect of postponing film taxation measures. The next session of the Canadian Parliament will not be held until late in April.

Theatre Not Liable For Robbed Patron

An exhibitor is not responsible for the assault and robbery of a woman patron in the rest room of the theatre, despite the fact that no attendant is in charge, according to a ruling of the Appellate Division of the N. Y. Supreme Court.

In the case of Cora L. Hart, Brooklyn, who was robbed at the Broadway Paramount in 1934, the higher court upheld the lower court's dismissal of Miss Hart's suit for $3,000, on the ground that the theatre had no reason to anticipate the assault.

Ampa Hears Film Stars Tomorrow

Mary Howard, who plays Ann Rutledge in "Abe Lincoln in Illinois," and Terry Kilburn of the cast of "Goodbye, Mr. Chips" and "Swiss Family Robinson" are on the program for the Ampa luncheon meeting tomorrow at 12:45 p.m. at Jack Dempsey's Eighth Ave. restaurant.

Others scheduled to appear are Joan Edwards, singer, and Katherine Conrad, European actress.

Discrimination Bill Is Sent to Lehman

Albany, Feb. 6.—The New York Assembly last night unanimously passed Senator Charles Perry's bill to amend the Civil Rights Law to prevent discrimination by labor organizations. The Senate previously had passed the measure, which now goes to Governor Lehman.

Coast Studios Have 27 Films Now in Work

Hollywood, Feb. 6.—Twenty-seven pictures were before the cameras this week, as six finished and six started. Twentieth Century-Fox leads with seven productions in work. Sixteen are being prepared and 62 are in the cutting rooms.

The tally by studio:

COLUMBIA—Finished: "Too Many Husbands."
In Work: "The Doctor Takes a Wife."
M-G-M—Finished: "The Ghost Comes Home."
In Work: "40 Little Mothers," "Two Girls on Broadway," "Edison, the Man," an untitled Dr. Kildare, "Waterloo Bridge."
Started: "Pride and Prejudice."
MONOGRAM—Finished: "Cheyenne Kid."
PARAMOUNT—In Work: "Destiny."
PRINCIPAL—In Work: "Our Town."
RKO—In Work: "My Favorite Wife," "Curtain Call."
Started: "The Romantic Mr. Hinklin."
REPUBLIC: In Work: "Pioneers of the West."
Started: "Forgotten Girl."
20TH CENTURY-FOX—In Work: "I Was An Adventuress," "Viva Cisco Kid," "Sailor's Lady," "Earthbound," "Twinkle, Twinkle, Little Star," "Lillian Russell."
Started: "Charlie Chan's Cruise."
UNIVERSAL—Finished: "The House of Seven Gables," "Enemy Agent."
In Work: "It's a Date," "Alias the Deason."
Started: "Ma! He's Making Eyes at Me."
WARNERS—Finished: "Three Cheers for the Irish."
In Work: "We Shall Meet Again," "Saturday's Children."
Started: "Sea Hawk."

'Lincoln' at Popular Price at Philadelphia

Philadelphia, Feb. 6.—"Abe Lincoln in Illinois," originally scheduled to be roadshown here, will open at a Warner Bros. theatre at popular prices instead, because of congested booking schedules at suitable houses.

Both the Boyd and the Earle are occupied with "Gone With the Wind," which is in both houses for indefinite runs. However, RKO and Warners reached an agreement over the weekend on terms for "Abe Lincoln" and a local Warner engagement for the picture will be set soon.

Elsewhere, the RKO picture is being roadshown as originally scheduled.

Pictures of Industry At Press Photo Show

Entitled "Bird's Eye View," a photo of the Music Hall following removal of the 6th Ave. L is included in the fifth annual exhibition of the Press Photographers Association of New York, Inc., which opened yesterday in the Empire State Building. James Sileo, cameraman noted in the industry, contributed the picture.

Various shots of the Music Hall Rockettes, vaudeville performers and a Christmas celebration in the Vitaphone Studio, Brooklyn, also taken by Sileo, are on display.

Two 'Ehrlich' Dates

"Dr. Ehrlich's Magic Bullet," Warner film, will open tomorrow at the Warner, Memphis, and at the Virginia, Charleston, W. Va., on Friday, the first of a series of pre-release key city engagements.

'Wind' Frisco Big Grosser, Hits $40,500

SAN FRANCISCO, Feb. 6.—"Gone With the Wind" soared to $40,500 in the first week at the Warfield. "The Fighting 69th," with "Calling Philo Vance," drew $22,500 at the Fox.

Estimated takings for the week ending Jan. 30-Feb. 2:

"Charlie McCarthy, Detective" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $14,500. (Average, $15,000)
"Destry Rides Again" (Univ.)
"The Amazing Mr. Williams" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 5th week. Gross: $6,500. Average, $8,000)
"Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $22,500. (Average, $16,000)
"Remember the Night" (Para.)
"Mutiny in the Big House" (Mono.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $10,000. (Average, $11,500)
"Of Mice and Men" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $10,800. (Average, $8,000)
"Shop Around the Corner" (M-G-M)
"City of Chance" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days. Gross: $40,500. (Average, $12,000)
"Port of Shadows" (Film Alliance)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,200. (Average, $1,000)
"Serenade in Capri" (Esperia)
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $900. (Average, $1,000)

Injunction Refused In Anti-Trust Suit

Motion for a temporary injunction in the anti-trust suit of the 395 Amusement Corp., operator of the Gloria, Brooklyn, was denied yesterday by Federal Judge Grover M. Moskowitz. Suit, pending in the Brooklyn Federal Court, names as defendants Samuel Rinzler, Louis Frisch, William Yost, 20th Century-Fox Film Corp., Warner Bros. Pictures, Inc., Paramount Pictures, Inc., Universal Corp., Vitagraph, Inc., and the Big U Film Exchange, RKO, Columbia and Republic were originally named in the suit but have since been dropped from the list.

Plaintiff in the suit charges that the Clinton, Randforce theatre in the vicinity of the Gloria, was granted an unfair preference in clearance.

Early trial of the suit is expected.

More Cash Denied To Trust Division

WASHINGTON, Feb. 6.—Avowedly impelled by the need for economy, the House Appropriations Committee today denied Assistant Attorney General Thurman Arnold's request for $1,600,000 for enforcement of the anti-trust laws during the coming fiscal year. The Committee approved an appropriation for $1,250,000, refusing to add $400,000 above the budget estimate.

Handles Cuban Newsreel

HAVANA, Feb. 6.—Charles B. Garrett, formerly in charge of Monogram's foreign exchange operations in New York, has been appointed distribution manager of Noticiario Cinematografico Cubano, Cuban newsreel. The newsreel is issued weekly under the sponsorship of radio station CMQ and *El Crisol*, local newspaper.

Hollywood Reviews

"Charlie Chan in Panama"

(20th Century-Fox)

HOLLYWOOD, Feb. 6.—The maximum of entertainment with the minimum of extraneous matter—the Sol Wurtzel style—is embodied in "Charlie Chan in Panama," a tersely told melodrama which places the famed Chinese detective in the Canal Zone on a search for spies attempting to sabotage the Canal as the United States fleet goes through. One of the best "Chans" in the veteran series, the film again has Sidney Toler in the title role and Sen Yung as one of his sons.

Others in the cast are Jean Rogers, Lionel Atwill, Mary Nash, Kane Richmond, Chris-Pin Martin, Lionel Royce, Helen Ericson, Jack La Rue, Edwin Stanley, Don Douglas, Frank Puglia, Addison Richards and Edward Keane.

Norman Foster achieved an unusual quality of tenseness in his direction of the meaty screenplay of John Larkin and Lester Ziffren.

Toler, disguised as a hat vender in Panama City to track down spies attempting to sabotage the locks, is exposed unwittingly by his son. Following a series of deductions and dangers, he brings all the suspects together in a power house in which explosives are planted and forces the master criminal to expose himself.

Running time, 66 minutes. "G."* VANCE KING

"Parole Fixer"

(Paramount)

HOLLYWOOD, Feb. 6.—Paramount's "Parole Fixer" is the second film to be made from F. B. I. Director John Edgar Hoover's "Persons in Hiding," and it deals in straightforward fashion with the intimate details of the G-Men's work in solving crimes with microscopes and then bringing the criminals to justice with guns and prison terms.

As the title indicates, the plot has to do with the obtaining of paroles by criminals through influential, often misguided and sometimes dishonest, persons. It is action throughout, from the showing of F. B. I. men being trained in criminal detection and marksmanship every eighteen months, to the final capture of a band of kidnapers led by a grafting attorney and two paroled convicts.

The cast consists of William Henry, Virginia Dale, Robert Paige, Gertrude Michael, Richard Denning, Faye Helm, Anthony Quinn, Harvey Stephens, Marjorie Gateson, Charlotte Wynters, Lyle Talbot and Louise Beavers, all of whom perform capable characterizations with Miss Gateson, as the society woman whose effecting of a parole for a criminal leads to the kidnapping of her daughter doing one of the outstanding portrayals.

William Lipman and Horace McCoy wrote the screenplay and Robert Florey directed, all of them collaborating on a picture which is outstanding for its type. Edward T. Lowe was the associate producer.

Running time, 60 minutes, "G."* VANCE KING

"G" denotes general classification.

Bill in Rhode Island Allows Sunday Plays

PROVIDENCE, Feb. 6.—Representative John R. Cioci has introduced in the Rhode Island legislature the first measure pertaining to the entertainment business.

The bill would permit Sunday legitimate performances in Providence, Woonsocket, Burrillville, West Warwick, Central Falls, Cranston, Pawtucket and Newport, if such shows are approved by local licensing authorities.

'Rebecca' Premiere At Miami March 22

World premiere of "Rebecca" has been set by United Artists for March 22 at the Lincoln Theatre, Miami.

Following its premiere, the picture will run day and date at the Lincoln and Surf theatres. The picture also is scheduled to open in Dallas and Buffalo, March 23, and will have its New York premiere at the Music Hall shortly thereafter.

Legion Approves 11 Of 12 New Pictures

National Legion of Decency has approved 11 of the 12 films reviewed for the current week. Seven are classified as unobjectionable for general patronage, four as unobjectionable for adults and one objectionable in part. Films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"British Intelligence," "El Gairlan," "Marines Fly High," "Village Barn Dance," "Northwest Passage," "Overture to Glory," "Swiss Family Robinson." Class A-2, Unobjectionable for Adults—"Buried Alive," "Grapes of Wrath," "Lone Wolf Strikes," "Wolf of New York." Class B, Objectionable in Part—"Torture Ship.'

M. A. Gasaway Dies

TUSCOLA, Ill., Feb. 6.—M. A. Gasaway, 65, part owner and manager of the Strand here, died at his home following a stroke. His wife, a son and two daughters survive.

Radio Brevities

A SECOND commercial sponsor for short wave broadcasts has been obtained by NBC, it was disclosed yesterday by L. P. Yandell, executive in charge of commercializing short wave broadcasts.

Marking the first time that a prize fight has been broadcast by short wave under commercial sponsorship, the Joe Louis-Arturo Godoy bout will be beamed to Latin America under the sponsorship of Standard Oil of New Jersey and its affiliates, West India Oil Co., Standard Oil of Cuba, Standard Oil of Brazil and the Compagnia De Petrolio Lago.

Eli Canel, director of the Spanish sports hour, will do the blow-by-blow description and Alfred Barrett will do the announcing between rounds. Adams Hats will sponsor the show over NBC-Blue. The only other sponsor using short wave is the United Fruit Co.

Personalities in the News

John Barrymore will make his first radio appearance of the season as guest on George Jessel's "Celebrity" program tomorrow night at 8 P. M. over NBC-Red. . . . Charles Laughton and his wife, Elsa Lanchester, will be guests on the "Lux Radio Theatre" over CBS Monday at 9 P. M. . . .

William A. Farren, who was with the NBC announcing staff for seven years and a commentator for Paramount News, has resigned from the network to free lance. His first show is the "Gospel Singers" over WOR.

Niles Trammell, NBC executive vice-president, has returned to his desk after a week's siege of influenza. . . . Glenn Miller's band took top honors in Martin Block's semi-annual WNEW popularity poll. . . . Starting Monday, Zasu Pitts will be heard in "Big Sister" over CBS Mondays through Fridays at 11:30 *A.M.*

Disney As Crosby's Guest

Walt Disney will discuss the problems of putting a popular children's book here on films tomorrow when he will be guest of Bing Crosby on the "Kraft Music Hall" over NBC-Red. Ralph Bellamy and Mischa Levitsky also will be guests.

Barton Adds Two to Staff

Francis Barton, head of the CBS program service department, announced yesterday that Yasha Frank and Richard Voynou had been added to his staff. Frank, formerly director of the WPA Children's Theatre, will direct the creative end of new programs and integrate programming with commercial announcements. Voynou, formerly manager of WICC, Bridgeport, and WEAN, Providence, will handle the staff end of selling programs.

Favorite Question

"Professor Quiz" whose program is heard over CBS has been keeping tabs on the question most frequently sent to him by radio listeners. In slightly more than three years, the same question has been submitted over 40,000 *times. It is:*

"Brothers and sisters have I none, but that man's father is my father's son. Who is that man?"

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Film Workers Seek Higher London Wage

Exhibitors Sympathetic, But Voice Protest

LONDON, Feb. 7.—A deputation of film employe groups today asked a wage increase of 12½ per cent from the London Branch of the Cinematograph Exhibitors Association. This is the first direct move for wage increases in a long period.

The C.E.A., while expressing sympathy with the desire for increases, protested the inability of exhibitors to pass on the cost of such increases pending the remission of the entertainments tax.

The organization's general council will consider the matter next week on a national basis, with a view to possible approaches to the Chancellor of the Exchequer on the entertainment tax situation.

Transport firms have demanded a wage increase of 15 per cent. The C.E.A. plans to offer a raise, but hopes at a joint meeting Friday to effect a compromise.

Film Chiefs Absent From Home Offices

Winter vacations, West Coast production conferences and illness have depleted home office executive ranks to one of their lowest levels in many months.

With the departure for Hollywood today of Maurice Silverstone, United Artists chief executive, the heads of only two companies, 20th Century-Fox and Columbia, will be at their New York offices.

A visit to one major company home office yesterday disclosed an entire executive floor, including two top ranking company offices, without an occupant.

Top executives, away from New York, in addition to Silverstone, and their present locales, include Nicholas M. Schenck, Florida; George J. Schaefer and Ned E. Depinet, Hollywood; Will H. Hays, Hollywood; Barney Balaban, Florida; Harry Warner, Hollywood; Nate J. Blumberg, Florida.

Leaving with Silverstone are Mrs. Silverstone; Charles Schwartz, United Artists attorney and board member; Mr. and Mrs. Zoltan Korda and Sabu.

Unions on Coast Iron Out Disputes; Boards Must Act

HOLLYWOOD, Feb. 7.—Having reached an understanding on important controversial issues, negotiators from the Screen Actors Guild, American Federation of Radio Artists and Actors Equity today prepared to obtain their respective board's approval of the proposed disposal of the disputed problems.

S.A.G. will hold a special meeting tomorrow night to hear the committee's report and the A.F.R.A. board is expected to act at the same time. Emily Holt, A.F.R.A. executive secretary; George Heller, her assistant, and Walter Greaza, of Equity, flew back to New York today. The Equity council meets Tuesday.

After conferences yesterday, the representatives of the three branches issued a joint statement that all differences had been settled. The conferences had been so successful, the statement set forth, that a plan for regular conferences in both New York and Hollywood would be recommended.

Details of reorganization developments and future policies of the Associated Actors and Artistes of America were not set forth. The American Guild of Variety Artists problem will be settled by dividing responsibility between the West Coast and the East.

Kenneth Thomson, S.A.G. executive secretary, will remain on the Coast and advise A.G.V.A. from there.

Bernard Reis, accountant who is drawing a "one big union" plan for the 4-A reorganization, said yesterday that his report, due Feb. 15, would be delayed for about two weeks.

Paramount, M-G-M To Close Monday

M-G-M and Paramount home offices will close a half-day on Monday, Lincoln's Birthday. United Artists and several others have not yet decided on the holiday. The New York Stock Exchange and the city's banks will be closed.

Net Assets $28,000, GN Trustee Reports

Grand National's net assets total $28,000 after payment of administration expenses to date, Harry G. Fromberg, trustee, stated yesterday in an affidavit which for the first time revealed liquidated assets of the company.

Total gross assets of G. N. will approximate $60,000 on a conservative estimate, Fromberg revealed, and administration expenses at present total $32,000. Referee Peter B. Olney, Jr., on the strength of the affidavit, authorized Fromberg to meet a payroll of $2,830 for the week ending Feb. 5.

The trustee has at hand in bank deposits the sum of $38,148 which will be reduced to approximately $20,000 by payment of claims against it, the affidavit said. Property located in G. N.'s 28 exchanges and rights to negatives and prints are each estimated at $10,000.

Liquidation of California studio equipment will bring in an additional $20,000, Fromberg stated. Unpaid mortgages against this equipment which cost $134,000 amounts to $33,000, he continued.

Administration expenses consist of $17,000 due to The National City Bank on a $25,000 loan made during reorganization efforts, $12,000 for unpaid rent and $3,000 for unpaid salaries.

Anti-Ascap Bill At Albany Asks For Licensing

Act Would Hurt FilmMen Themselves, Says Mills

ALBANY, Feb. 7.—A bill aimed at Ascap which would amend the state tax law to require the licensing of agencies which collect royalties for the use of copyrighted musical compositions was introduced in the New York legislature today by Assemblyman Anthony J. Canney of Buffalo.

Canney said the bill was introduced at the behest of his constituents, presumably exhibitors.

If enacted the bill would become effective July 1. It provides that royalties may not be collected for the public performance of music without a license from the State Tax Commission or the Department of Taxation and Finance. The license fee would be $1,000 annually.

The bill stipulates that: "Nothing contained in this article shall be construed to apply to any patented equipment used in producing moving or talking pictures, or any patented equipment used in connection with the reproduction of sound, speech or music in connection with moving or talking pictures."

E. C. Mills, chairman of the Ascap administrative committee, said yesterday that if the Canney bill is enacted Ascap will increase its rates for New York exhibitors to cover the society's increased operating costs from licensing fees.

"If exhibitors want legislation enacted to tax themselves, it's all right with Ascap," Mills said.

Late News Flashes from Coast

HOLLYWOOD, Feb. 7.—For the first time in Los Angeles and Hollywood, one film will play day and date at three theatres. It will be the 20th Century-Fox picture, "Grapes of Wrath," which, following a $5.50 premiere Feb. 26 at the Four Star, will open the next day at regular continuous runs at the Four Star, Grauman's Chinese and Loew's State.

A delegation of Hollywood American Federation of Labor studio union officials went to Sacramento today to register their objections to the extradition of William Bioff, I.A.T.S.E. leader, to Chicago. The extradition hearing will be held Tuesday.

Motion pictures having the production code authority seal will not be affected in any way under the proposed censorship ordinance in Los Angeles, city officials promised today. They said the city administration is aiming the legislation, not at organized industry's films, but at "bootleg" stag reels, imported foreign offerings and particularly at night club floor shows and stage presentations at burlesque houses.

3,200 See Brilliant 'Pinocchio' Opening

A brilliant first night audience of 3,200 filled the Center Theatre in Rockefeller Center to capacity last night for the world premiere of "Pinocchio," Walt Disney's second feature-length animated cartoon.

Leaders of New York's society, art, industry, commerce and civic life as well as the film industry were in the colorful throng of top hats and ermine wraps.

Arc lights played on the multi-colored marquee from across Sixth Ave., while 50 policemen kept crowds of fans and autograph seekers from blocking the doors. RKO Pathe News shot films of arriving celebrities outside the theatre and in the lobby, and

(*Continued on page 8*)

◂ Purely Personal ▸

JOSEPH M. SCHENCK, chairman of the board of 20th Century-Fox, arrived by plane yesterday from the Coast.

•

Mort Blumenstock, **William Brandt**, **William F. Rodgers**, **Sam Shain**, **Charles E. McCarthy**, **Owen Davis**, **Tom Connors**, **Ed Saunders**, **Ted O'Shea** and **Max A. Cohen** at Nick's Hunting Room in the Astor for lunch yesterday.

•

Adolph Buehrig, formerly manager of Loew's State, Boston, supervised the opening of the new Metro Theatre in Cairo last week. His permanent post is manager of the Metro in Durban, South Africa.

•

Howard L. Shuttleworth, former vice-president of Mohawk Carpet Mills, Inc., has been elected president of the company to succeed his brother, the late **Arthur W. Shuttleworth**, who died on Jan. 27.

•

E. S. Gregg, general foreign manager of Erpi, leaves today for Mexico City, first stop in an inspection tour which will take him to 13 Latin American countries. He plans to return about May 1.

•

Earl Hammons, **Charles Friedman**, **Herman Wobber**, **Purnell Pratt**, **Ben Boyar**, **Nat Karson** and **Lionel Stander** lunching at Sardi's yesterday.

•

Oscar Neu, President of Neumade Products Corp., manufacturers of booth equipment, leaves today for an extended business trip. **Neu** expects to return to New York about April 6.

•

William Onie, Cincinnati Monogram branch manager, and **Elmer Shard**, Cincinnati suburban exhibitor, leave tomorrow for a vacation at Hot Springs, Ark.

•

A. J. Herman, Universal Eastern district manager, left yesterday to visit the Boston and New Haven exchanges.

•

Leslie Whelan, 20th Century-Fox foreign publicity manager and overseas Kent Drive leader, leaves Saturday for Florida with his family.

•

Joe Goetz, Cincinnati RKO assistant division manager in charge of personnel, is confined to his home with a severe cold.

•

Joseph Feldman, Warner Theatres publicity head in Pittsburgh, has been confined to his home with pneumonia.

•

Norman Elson, sales manager of Film Alliance, has returned from a two-week trip to the Coast.

•

John G. Kemptgen, Chicago office manager for M-G-M, observes a birthday today.

•

Charles Goetz of the 20th Century Fox talent department leaves today for a month at the studio.

•

Walter J. Hutchinson, director of foreign distribution for 20th Century-Fox, leaves today for Florida.

Fords Fete Metro Executives Today

Henry Ford and his son, Edsel, will give a luncheon today for M-G-M executives at historical Clinton Inn in Greenfield Village, near Detroit. The luncheon will be a prelude to the Port Huron, Mich., opening on Saturday of M-G-M's "Young Tom Edison."

Guests at the Ford luncheon will be Mr. and Mrs. Louis B. Mayer, Mr. and Mrs. William F. Rodgers, Mr. and Mrs. Howard Dietz, Mickey Rooney, who plays the title role; Howard Strickling, Leslie Peterson and Frank Orsatti.

Charles Edison, Secretary of the Navy and son of the late Thomas Alva Edison, and Gov. Moore of New Jersey will be guests of honor at a luncheon of the Edison Pioneers Saturday at the Hotel Astor in commemoration of the 93rd birth anniversary of the inventor.

At the same time a luncheon will be in progress in Port Huron, as part of the festivities in connection with the opening. Charles Edison will send a message to the Port Huron gathering over the telegraph apparatus used by his father in his early days.

Father Flanagan of Boys Town, Neb., will give the invocation at the Port Huron luncheon, which will be addressed by Mayer, Rooney and others.

The Rodgers party left here last night. Edward M. Saunders, Eastern division sales manager, leaves today. Rodgers will proceed from Port Huron to the M-G-M studio.

Induct Pool Tonight At B'nai B'rith Meet

Dr. David deSola Pool, rabbi of the Spanish and Portuguese Synagogue, will be inducted as a member of the Cinema Lodge, B'nai B'rith, at a meeting at 8:30 o'clock tonight at the Hotel Edison. A. W. Schwalberg will preside.

A number of prominent film executives have been invited to attend. Among the speakers scheduled are Charles H. Johnson, Past Grand Master of the Masons in the State of New York; Judge Myron Sulzburger of the Municipal Court and Louis Nizer, attorney.

Rabbi Aaron Opher of the Hebrew Tabernacle will deliver the invocation, and Rabbi Saul H. Applebaum, associate rabbi, Central Synagogue, the benediction. There will be a musical program by a choral ensemble under the direction of Dr. Leo Braun. Members are permitted to bring friends to the meeting.

Mississippi Houses Aid Paralysis Drive

Oxford, Miss., Feb. 7.—All Mississippi theatres are cooperating in aiding the infantile paralysis foundation by special benefit shows, according to Mayor Robert X. Williams, president of the Tri-State M.P.T.O. and heading the drive in Mississippi.

Goldsmith to Coast

I. Goldsmith, producer of "The Stars Look Down," English film, left yesterday for the Coast where he will continue negotiations on a release for the picture. He will also confer with Dr. A. J. Cronin, author of the novel on which the film was based.

Crick Is Elected Mayor of Sydney

Stanley Crick, formerly managing director for 20th Century-Fox in Australia, has been elected Lord Mayor of Sydney. Crick, who was succeeded by Clay Hake, has film interests in Australia.

Golden Off Today On Exchange Tour

Edward A. Golden, general sales manager of Monogram, leaves today on a nationwide tour of 15 company officers in connection with the current playdate drive. He will be gone six weeks.

Golden plans sales meetings in each branch. He will visit Atlanta, Memphis, New Orleans, Dallas, Los Angeles, San Francisco, Denver, Kansas City, St. Louis, Chicago, Milwaukee, Detroit, Cleveland, Buffalo and Albany.

Skouras Winner In Union Dispute

Members of one projectionists union may be discharged and members of another union hired when theatres change ownership, the New York State Labor Relations Board ruled yesterday. The board dismissed charges of unfair labor practices brought by the Empire State Operators Union against the Skouras Theatres Corp.

In its decision, the board pointed out that Skouras Theatres had signed a contract in 1936 to employ members of Operators Union, Local 306, only. In September, 1937, Skouras purchased a circuit of six Manhattan houses from the United Exhibition Co. and discharged the Empire men, replacing them with 306 projectionists.

The board ruled that Skouras had a bona fide contract with 306 and could dismiss the Empire State operators. Theatres involved were the Symphony, Thalia, Carlton, Stoddard, Olympia, and 77th St.

Bingo, Ticket Sale Bills Up in Albany

Albany, Feb. 7.—A new Bingo measure, introduced in the state legislature by Senator John McCall, and another bill on the resale of tickets, filed by Assemblyman Malcolm Wilson and Senator William Condon are new industry measures.

The McCall bill would allow and regulate Bingo by any charitable or religious organization formed at least a year before the application for a permit. The Wilson Condon measure would extend licensing provisions on ticket resale to every corporation and individual engaged in reselling tickets.

The Mitchell bill to put a ceiling of 75 cents on the premium over box-office price for resale has been put over until next Monday.

Para. Plans 'Interlochen'

Hollywood, Feb. 7.—Paramount plans a film called "Interlochen," based on the famed national musical camp for young people at Interlochen, Mich. Andrew Stone will produce and direct. Allan Jones and Susanna Foster will star.

Republic Meetings Start Tomorrow

Discussions on a closer working arrangement between Republic's production and sales departments will highlight the second series of quarterly sales meetings which will start tomorrow with a one-day Eastern session at the New York Athletic Club.

On Saturday there will be a similar meeting in Chicago, to be followed by regional meetings in Atlanta, D[illegible]s and at the studio. James R. Grai[illegible]r, president, will be in charge of the sessions. Other home office executives will attend.

Republic recently inaugurated sales meetings three times a year at which the business of the previous quarter is reviewed and production matters discussed. Sales policy on "Dark Command," Republic's big budget film of the season, will be discussed at the meetings. Shooting on the film was resumed yesterday after a delay due to Claire Trevor's illness.

Franchise holders attending the Eastern meeting will include Herman Gluckman, New York and Philadelphia; Sam and Jake Flax, Washington; Nat Lefton, Cleveland and Cincinnati; and J. H. Alexander, Pittsburgh.

The following branch managers will attend: E. M. Morey, Boston; Sam Seletsky, New Haven; Arthur Newman, Albany; Jack Bellman, Buffalo; Morris Epstein, New York; Max Gillis, Philadelphia; Sam Gorrell, Cleveland; Max Margolies, Cincinnati. George Collins and Sam Feinberg of the Pittsburgh branch also will be present.

Warner Club's Ball To Bring Out 1,200

Twelve hundred Warner Club members and guests will gather in the Grand Ballroom of the Hotel Waldorf-Astoria Saturday evening, March 9, for the club's eleventh annual banquet and ball.

Jan Savitt and his Top-Hatters will provide the dance music.

This year's affair is being planned by a committee consisting of A. W. Schwalberg, chairman; Max Blackman, Nat Fellman, president of the Warner Club; Harry Mayer, in charge of entertainment; S. Schneider, Jules Levey, Harold Rodner and Irving Birnbaum. A souvenir book is being prepared under the supervision of Max Blackman.

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DAILY
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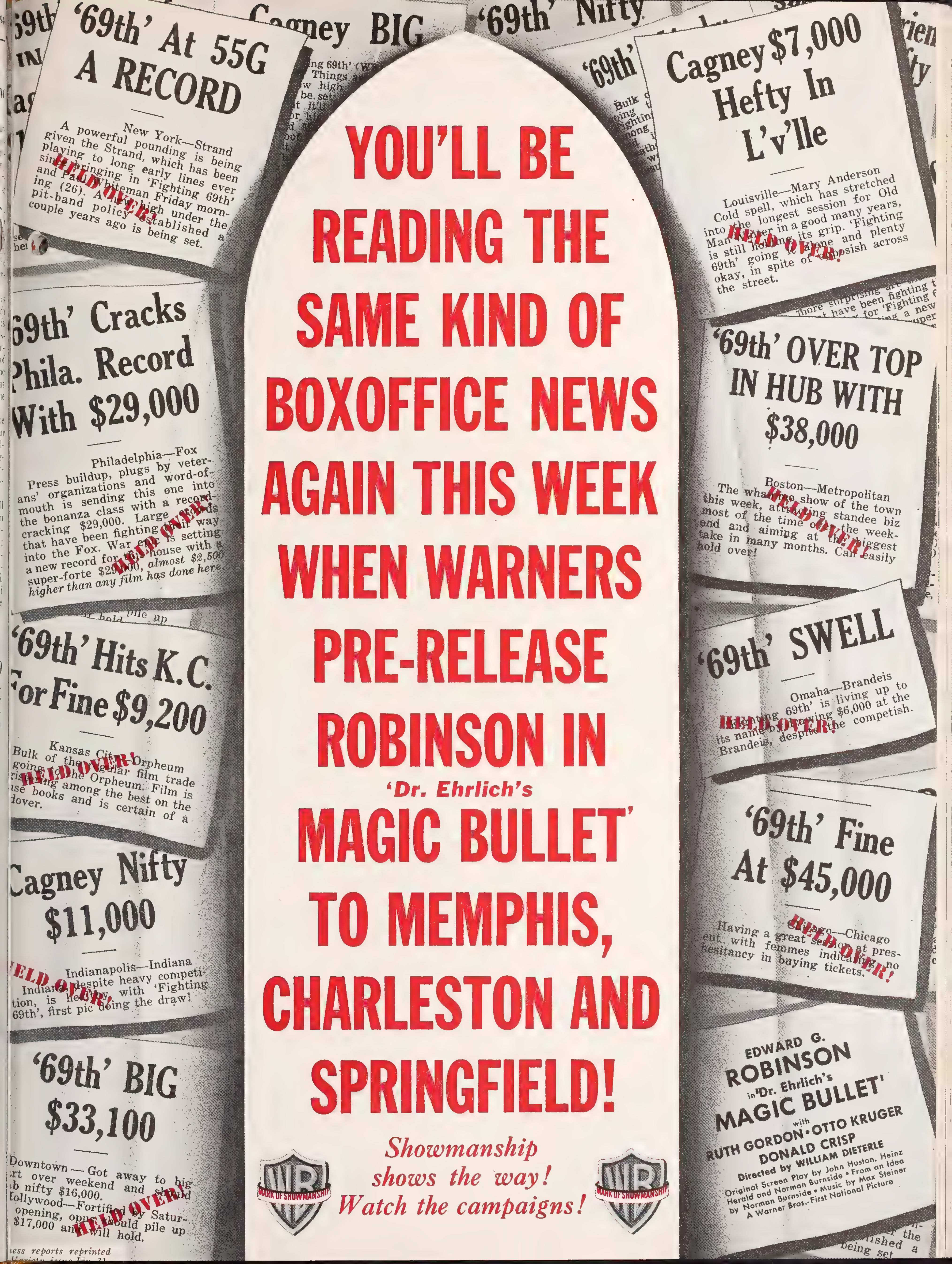


Cagney BIG

'69th' Nifty

'69th' At 55G A RECORD

New York—Strand

A powerful pounding is being given the Strand, which has been playing to long early lines ever since bringing in 'Fighting 69th' and Paul Whiteman Friday morning (26). A new high under the pit-band policy established a couple years ago is being set.

HELD OVER!

Cagney $7,000 Hefty In L'v'lle

Louisville—Mary Anderson

Cold spell, which has stretched into the longest session for Old Man Winter in a good many years, is still holding its grip. 'Fighting 69th' going it alone and plenty okay, in spite of opposish across the street.

HELD OVER!

69th' Cracks Phila. Record With $29,000

Philadelphia—Fox

Press buildup, plugs by veterans' organizations and word-of-mouth is sending this one into the bonanza class with a record-cracking $29,000. Large crowds that have been fighting their way into the Fox. War epic is setting a new record for this house with a super-forte $29,000, *almost $2,500 higher than any film has done here.*

HELD OVER!

'69th' OVER TOP IN HUB WITH $38,000

Boston—Metropolitan

The whammo show of the town this week, attracting standee biz most of the time over the week-end and aiming at the biggest take in many months. Can easily hold over!

HELD OVER!

'69th' Hits K.C. or Fine $9,200

Kansas City—Orpheum

Bulk of the regular film trade going to the Orpheum. Film is ris ing among the best on the se books and is certain of a dover.

HELD OVER!

'69th' SWELL

Omaha—Brandeis

'Fighting 69th' is living up to its name by drawing $6,000 at the Brandeis, despite the competish.

HELD OVER!

Cagney Nifty $11,000

Indianapolis—Indiana

Indiana, despite heavy competition, is hefty, with 'Fighting 69th', first pic doing the draw!

HELD OVER!

'69th' Fine At $45,000

Chicago—Chicago

Having a great session at present with femmes indicating no hesitancy in buying tickets.

HELD OVER!

'69th' BIG $33,100

Downtown — Got away to big rt over weekend and should b nifty $16,000.

ollywood—Fortified by Saturday opening, opus should pile up $17,000 and will hold.

HELD OVER!

ess reports reprinted

YOU'LL BE READING THE SAME KIND OF BOXOFFICE NEWS AGAIN THIS WEEK WHEN WARNERS PRE-RELEASE ROBINSON IN 'Dr. Ehrlich's MAGIC BULLET' TO MEMPHIS, CHARLESTON AND SPRINGFIELD!

Showmanship shows the way! Watch the campaigns!

EDWARD G.
ROBINSON
in 'Dr. Ehrlich's
MAGIC BULLET'
with
RUTH GORDON • OTTO KRUGER
DONALD CRISP
Directed by WILLIAM DIETERLE
Original Screen Play by John Huston, Heinz Herald and Norman Burnside • From an Idea by Norman Burnside • Music by Max Steiner
A Warner Bros.-First National Picture

'Wind' Holds Los Angeles Pace, $45,200

Los Angeles, Feb. 7.—"Gone With the Wind" held its strong pace here, taking $45,200 at two theatres, $20,700 at the Carthay Circle and $24,500 at the United Artists.

Estimated takings for the week ending Feb. 7:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 6th week. Gross: $20,700. (Average, $17,000)

"I Take This Woman" (M-G-M)
"Henry Goes Arizona" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $9,800. (Average, $12,500)

"Abe Lincoln in Illinois" (RKO)
4 STAR—(900) (75c-$1.50) 7 days. Gross: $5,600. (Average, $3,250)

"His Girl Friday" (Col.)
"Cafe Hostess" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $9,900. (Average, $6,500)

"I Take This Woman" (M-G-M)
"Henry Goes Arizona" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $10,800. (Average, $14,000)

"His Girl Friday" (Col.)
"Cafe Hostess" (Col.)
PANTAGES—(2,000) (30c-65c) 7 days, 2nd week. Gross: $9,800. (Average, $7,000)

"Remember the Night" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Ken Baker and his orchestra. Gross: $15,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 6th week. Gross: $24,500.

"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $11,800. (Average, $14,000)

"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $13,600. (Average, $12,000)

$27,500 for 'Wind' In Oklahoma City

Oklahoma City, Feb. 7.—"Gone With the Wind" drew a smash $27,500 at the Midwest, despite wet weather.

Estimated takings for the week ending Feb. 1:

"The Shop Around the Corner" (M-G-M)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,400. (Average, $4,500)

"Nick Carter, Master Detective" (M-G-M)
"Marshal of Mesa City" (RKO)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,300. (Average, $2,400)

"Gone With the Wind" (M-G-M)
MIDWEST—(1,500) (75c-$1.12) 7 days. Gross: $27,500. (Average, $4,000)

"Balalaika" (M-G-M)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $900. (Average, $1,100)

"His Girl Friday" (Univ.)
STATE—(1,100) (20c-25c-40c) 7 days, 2nd week. Gross: $3,200. (Average, $3,000)

"The Earl of Chicago" (M-G-M)
TOWER—(1,000) (25c-35c-40c) 7 days. Gross: $1,500. (Average, $1,750)

Exhibitors, Officials Weigh Moline Fee

Moline, Ill., Feb. 7.—A committee of the Moline City Council and theatre owners will confer on an increase of license fees for the four Moline theatres from the present flat fee of $50 to a sliding scale.

Alderman Harry Roman, sponsor of the ordinance and chairman of the committee, proposed a $150 fee for theatres with 500 seats or less, and that the scale be increased at a rate of 20 cents per year on the additional capacity.

KRS Names Group On Films for Army

By AUBREY FLANAGAN

London, Jan. 16 (*By Mail*).—Members of the committee of the Kinematograph Renters Society collaborating with the Navy, Army and Air Force Institute for the supply of films for the army, include: D. E. Griffiths, president of the society, Sam Eckman, M-G-M; Sam Smith, British Lion; W. J. Gell, Pathe; George Archibald, United Artists; F. W. Baker, Butchers, and Frank Hill, KRS secretary.

The committee will advise the official body on all film matters, rentals; admission prices, etc., and will act as a liasion between the trade and the military authorities.

A five-year record went west at the Carlton Theatre on Jan. 13 for the Saturday showing of "Gulliver's Travels." All house figures for three years were exceeded in the first two weeks of the run.

Figures relevant to the Import Duties Act on 1938 trade being incomplete, and further collation being difficult, the current Board of Trade inquiry into production statistics is to be abandoned.

'Wind' Indianapolis Smash Hit, $40,000

Indianapolis, Feb. 7.—Local gross records were toppled by "Gone With the Wind" at $40,000 for Loew's. Despite sub-zero weather, business held up well generally.

Estimated takings for the week ending Feb. 2:

"Remember the Night" (Para.)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)

"Earl of Chicago" (M-G-M)
"Congo Maisie" (M-G-M)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $6,500. (Average, $6,000)

"Fighting 69th" (W. B.)
"Man Who Wouldn't Talk" (20th-Fox)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $6,000. (Average, $5,000)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.10) 7 days. Gross: $40,000. (Average, $7,000)

"He Married His Wife" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Hollywood All-Girl Oomph Revue, with Marie Wilson, Rita Rio, Toby Wing, Faith Bacon. Gross: $10,000. (Average, $8,000)

'Wind' with $45,000 Sets Buffalo Record

Buffalo, Feb. 7.—"Gone With the Wind" set an all-time record here in its first week showing at the Great Lakes, taking $45,000.

Estimated takings for the week ending Feb. 3:

"The Great Victor Herbert" (Para.)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Borrah Minevitch's Harmonica Rascals and D'Artega and orchestra on stage. Gross: $11,900. (Average, $12,000)

"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (75c-$1.10-$1.50) 9 days. Gross: $45,000. (Average at 30c-50c, $7,500)

"The Man Who Wouldn't Talk" (20th-Fox)
"City of Chance" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $4,500. (Average, $6,800)

"Private Detective" (W. B.)
TWENTIETH CENTURY—(3,500) (30c-50c) 7 days. Hellzafire on stage with Benny Meroff and band. Gross: $25,000. (Average, $6,800)

"His Girl Friday" (Col.)
"A Miracle On Main Street" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $12,500. (Average, $6,300)

Keeps Busy

St. John, N. B., Feb. 7.—Herman Kerwin, head usher at the Mayfair here, plays many parts out of uniform. He is the painter and decorator, carpenter, plumber, steamfitter and electrician at the Mayfair, and also does all the painting and decorating for the five houses in the Franklin & Herschorn circuit.

Pittsburgh Gives 'Wind' Big $29,000

Pittsburgh, Feb. 7.—"Gone With the Wind" exceeded expectations at the Warner, piling up $29,000. "Brother Rat and a Baby" with "Hollywood Revue" on the stage gave the Stanley $22,000.

Estimated takings for the week ending Feb. 1:

"He Married His Wife" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 6 days. Gross: $4,200. (Average, 7 days, $7,000)

"The Invisible Man Returns" (Univ.)
FULTON—(1,700) (25c-40c) 7 days. Gross: $4,600. (Average, $5,000)

"The Great Victor Herbert" (Para.)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $12,000. (Average, $13,000)

"The Hunchback of Notre Dame" (U. A.)
RITZ—(900) (25c-35c-50c) 7 days, 2nd week. Gross: $4,100.

"My Son Is Guilty" (Col.)
"Legion of Lost Flyers" (Univ.)
SENATOR—(2,000) (25c-40c) 3 days. Gross: $900. (Average, 7 days, $3,500)

"Mr. Smith Goes to Washington" (Col.)
"Goodbye, Mr. Chips" (M-G-M)
SENATOR—(2,000) (25c-40c) 7 days. Gross: $2,900. (Average, $3,500)

"Brother Rat and a Baby"
STANLEY—(3,600) (25c-40c-60c). On stage: "Hollywood Revue," Johnny Davis and orchestra, Cliff Edwards, Gloria Dickson, Brewster Twins, Three Stooges. 7 days. Gross: $22,000. (Average, $17,000)

"Gone With the Wind" (M-G-M)
WARNER—(2,000) (75c-$1.10-$1.65) 7 days. Gross: $29,000. (Average, $5,000)

'Gulliver' Garners $10,200 in Montreal

Montreal, Feb. 7. — "Gulliver's Travels" earned top place among first runs with a gross of $10,200 at Loew's.

Estimated takings for the week ending Feb. 2:

"Tower of London" (Univ.)
"Laugh It Off" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,500. (Average, $8,000)

"Gulliver's Travels" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $10,200. (Average, $8,000)

"Hell Below" (M-G-M)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $2,800. (Average, $5,000)

"Another Thin Man" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,800. (Average, $10,000)

"The Flying Deuces" (RKO)
"Meet Dr. Christian" (RKO)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,500. (Average, $5,500)

'Wind' Is St. Louis Leader at $50,000

St. Louis, Feb. 7.—"Gone With the Wind," in its first week in the Loew's State, grossed $50,000.

Estimated grosses for week ending Feb. 1:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $50,000. (Average, at 25c-40c-55c scale, $13,000)

"Fighting 69th" (W. B.)
FOX—(5,038) (25c-40c-55c) 9 days. Gross: $15,500. (Average, 7 days, $11,000)

"Remember the Night" (Para.)
"Young as You Feel" (20th-Fox)
AMBASSAROR—(3,018) (25c-40c-55c) 7 days. Gross: $11,700. (Average, $11,500)

"The Great Victor Herbert" (Para.)
"The Return of the Invisible Man" (Univ.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,500. (Average, $4,000)

'Wind' Blows $36,000 Gale, Denver Lead

Denver, Feb. 7.—"Gone With the Wind" packed the Orpheum repeatedly to break all house records with $36,000. "Remember the Night," at the Denham, drew $7,800.

Estimated takings for the week ending Jan. 31:

"Shop Around the Corner" (M-G-M)
"Flying Deuces" (RKO)
BROADWAY — (1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)

"Remember the Night" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $7,800. (Average, $6,500)

"His Girl Friday" (Col.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,600) (75c-$1.12-$1.50) 7 days. Gross: $36,000. (Average, $9,000)

"Tower of London" (Univ.)
"Charlie McCarthy, Detective" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)

"Destry Rides Again" (Univ.)
"Those High Gray Walls" (Col.)
RIALTO—(878)) (25c-40c) 7 days, "Destry" 3rd week. Gross: $2,000. (Average, $1,750)

$70,000 for 'Wind' Sets Detroit Pace

Detroit, Feb. 7.—"Gone With the Wind" playing its first week in two Detroit theatres grossed $70,000. The United Artists garnered $40,000, while the Wilson took in $30,000.

Estimated takings for the week ending Feb. 1:

"His Girl Friday" (Col.)
"My Son Is Guilty" (Col.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)

"Another Thin Man" (M-G-M)
"Dancing Co-Ed" (M-G-M)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"The Hunchback of Notre Dame" (RKO)
FOX—(5,000) (20c-55c) 7 days. Gross: $25,000. (Average, $15,000)

"The Fighting 69th (W. B.)
"Meet Dr. Christian" (RKO)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $12,000. (Average, $12,000)

"Four Wives" (W. B.)
"The Earl of Chicago" (M-G-M)
PALMS—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (75c-$1.10-$1.50) 7 days. Three shows daily. Gross: $40,000. (Average, $10,000)

"Gone With the Wind" (M-G-M)
WILSON—(1,918) ($1.10-$1.50) 7 days. Two shows daily. Gross: $30,000. (Average, $30,000 with road shows)

$30,000 Cleveland Gross for 'Wind'

Cleveland, Feb. 7.—"Gone With the Wind," a sell-out for all performances, chalked up $30,000 for its opening week at Loew's Stillman. "His Girl Friday" drew $12,500 at the Hippodrome.

Estimated takings for the week ending Feb. 1:

"A Child Is Born" (W. B.)
ALLEN — (3,000) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)

"His Girl Friday" (Col.)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $12,500. (Average, $11,000)

"Green Hell" (Univ.)
RKO PALACE — (3,100) (30c-42c-55c) 7 days. Ray Bolger and show on stage. Gross: $11,000. (Average, $14,000)

"Raffles" (M-G-M)
LOEW'S STATE — (3,500) (30c-35c-42c) 7 days. Gross: $9,000. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (75c-$1.13) 7 days. Gross: $30,000. (Average at 30c-35c-42c, $4,000)

PARAMOUNT PICTURES INC.
WEST COAST STUDIOS
5451 MARATHON ST. HOLLYWOOD, CALIF.
TELEPHONE
HOLLYWOOD 2411
CABLE ADDRESS
"FAMFILM"

December 5, 1939

Mr. Harry Sherman
Harry Sherman Productions
7250 Santa Monica Boulevard
Hollywood, California.

Dear Harry:

Our family, children, and grandchildren always gather every Saturday night to run a picture in our home.

The three generations represented in these gatherings demand Hopalong Cassidy pictures whenever they can be obtained, and Bill Boyd is, of course, one of the family heroes. His fine honesty and sound American principles are good for the children to absorb.

Last Sunday night you graciously sent us KNIGHTS OF THE RANGE, your recent Zane Grey production with Victor Jory, Russell Hayden, Jean Parker, Morris Ankrum and J. Farrell MacDonald. We were all delighted with it. Some of the shots of the great herds of cattle grazing on the western plains as far as the eye could reach were thrilling, not only for the drama they represented, but for their great beauty.

I extend to you the plaudits and appreciation of three generations for an exciting evening.

Sincerely,

Cecil B. deMille

Cecil B. deMille.

CBdM-C

MOTION PICTURE DAILY'S BOOKING CHART

[*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 12	Music in My Heart (G-M)	Shop Around the Corner (G-C) *Sullavan-Stewart*	The Secret Four (G-D) *Frank Lawton* Fatal Hour (D) *Boris Karloff*	Geronimo (G-D) *Preston Foster* *Ellen Drew*	Heroes of the Saddle (G-O) *3 Mesquiteers*	Mexican Spitfire (G-C) *Velez-Erroll*	City of Chance (G-D) *Lynn Bari* *C. Aubrey Smith*	Of Mice and Men (A-D) *Burgess Meredith* *Lon Chaney, Jr.*	The Invisible Man Returns (G-D) *Cedric Hardwicke*	Brother Rat and a Baby (G-C) *Wayne Morris*
Jan. 19	His Girl Friday (A-C) *Cary Grant*	Congo Maisie (A-D) *Ann Sothern* *John Carroll*	Hidden Enemy (D) *Warren Hull*	Remember the Night (G-D) *Stanwyck* *MacMurray*		Married and in Love (G-D) *Alan Marshall*	He Married His Wife (A-C) *McCrea-Kelly*	Lion Has Wings (G-D) *Oberon-Richardson*	West of Carson City (O) *Johnny Brown*	British Intelligence (D) *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes (D) *Warren William*	Lambeth Walk (C) *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Wolf of New York (D) *Edmund Lowe*	Saint's Double Trouble (G-D) *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell (G-D) *Joan Bennett* *Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier (O) Convicted Women (D)	I Take This Woman (G-D) *La Marr-Tracy*	Chasing Trouble (G-D) *Frankie Darro*	Parole Fixer (G-D) *William Henry*	Village Barn Dance (G-M) *Cromwell*	The Marines Fly High (D) *Dix-Ball*	The Man Who Wouldn't Talk (D) *Lloyd Nolan*		Danger on Wheels (D) *Arlen-Devine*	Calling Philo Vance (D) *Stephenson*
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (G-M) *Astaire-Powell*	East Side Kids (D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (D) *Lombard-Aherne*	Little Old New York (G-D) *Faye-MacMurray*		My Little Chicadee (C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (D) *Del Rio-Beery*	Cheyenne Kid (G-O) *Jack Randall*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore* *Johnnie Downs*	
Mar. 1	Blondie on a Budget (C) *Arthur Lake*	Strange Cargo (D) *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) *Tex Ritter*	Seventeen (D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Earthbound (D) *Baxter-Leeds*	House Across the Bay (D) *Joan Bennett* *George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (D) *Jack Holt*		Human Monster (D) *Bela Lugosi*	Showdown (O) *William Boyd*		Isle of Destiny (D) *Gargan-Ford*	Chan in Panama (G-D) *Sidney Toler*	Rebecca (D) *Olivier* *Joan Fontaine*	Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (D) *Drew-Paige*		Millionaire Playboy (C) *Joe Penner*			Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*	Florian (D) *Robert Young*		Road to Singapore (M) *Crosby-Lamour*		Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29			Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*		Irene (M) *Anna Neagle* *Ray Milland*	For Women Only (C) *Bari-Davis*	Over the Moon (D) *Merle Oberon*		

Book these PARAMOUNT SHORTS when you book your features!

FEBRUARY 2
Color Classic Cartoon
LITTLE LAMBKIN

FEBRUARY 9
Color Cruise
ISLE OF COLUMBUS

FEBRUARY 9
Stone Age Cartoon
WAY BACK WHEN A TRIANGLE HAD ITS POINTS

FEBRUARY 16
Paragraphic Series
PARAMOUNT PICTORIAL

100% BOX OFFICE tested

Short Subject Reviews

"Top-Notch Tennis"

(20th Century-Fox)

"Top-Notch Tennis" is not only a top-notch reel for the net enthusiasts but makes excellent film fare for all sports lovers. Described by Ed Thorgersen, the reel introduces the outstanding tennis champions, both men and women. Both action shots and close-ups describing how the champions improve their game are included. The film was authorized by the U. S. Lawn Tennis Association. Running time, 10 mins.

"Harvest Time"

(Terry-20th Century-Fox)

The riotous hues of harvest time are reproduced in this color cartoon. The insects are shown busily engaged in reaping the Autumn crop until a spider kidnaps one of their number. Should please. Running time, 7 mins.

"Edgar Runs Again"

(Terry-20th Century-Fox)

The sad plight of an ex-race horse who has lost his speed and his home is depicted in this black-and-white "Terry Toon." An old junk man befriends the ancient steed and the latter rewards his benefactor by winning a rich stake race. An amusing reel. Running time, 7 mins.

"Dog in a Mansion"

(Terry-20th Century-Fox)

This is a tale of a poor little rich dog. As in the case of the rich boy, the dog is saddened by too much attention and seeks the companionship of his fellows. The mongrels rally to his aid and stage a party for him. In the end, the dog's mistress fires the butler and the pup is permitted to resume a normal dog's life. Running time, 7 mins.

Radio Poll Honors Donat

Robert Donat's performance in "Goodbye, Mr. Chips" was selected as the best of 1939 in a poll of listeners conducted by Sam Taylor over his "Hollywood Sound Stage" program on WHN. In a previous poll by Taylor, the picture was chosen as the best of the year.

Paramount Lobby Stormed by Crowd

"Geronimo's" war dance on the screen and a jitterbug dance contest on the stage of the Paramount yesterday drew 3,000 persons to the theatre and a flock of Commissioner Valentine's bluecoats. The net result was:

One broken box-office window, an injured leg suffered by a ticket-taker, and a doorman whose chest was hurt.

Robert M. Weitman, manager, reported an estimated $7,500 gross for the day and an 11,000 matinee attendance.

New York Review

"The Lone Wolf Strikes"

(Columbia)

Concerned with another exploit of Louis Joseph Vance's suave gentleman-crook, the Lone Wolf, this mystery yarn is lively and at times exciting entertainment, despite its unpretentious character.

Warren William is a highly satisfactory "Wolf," aided by Joan Perry, Eric Blore, as his butler, Alan Baxter and Astrid Allwyn. Harry Segall and Albert Duffy, who prepared the screenplay from Dalton Trumbo's story, contrived a fast-paced item of entertainment. Sidney Salkow directed capably.

William is called upon to aid in the recovery of a valuable necklace, stolen by a ruse from an old friend, who is killed in a faked automobile accident when he learns of the theft and seeks to recover the pearls. Despite the efforts of Miss Perry, daughter of the victim to assist, William makes progress, until matters are complicated by a second loss of the pearls and another murder. Faced with police accusations that he is the murderer, William decoys the gang into following him with the necklace straight into the arms of the police.

CHARLES S. AARONSON

**"G" denotes general classification.*

Knox Files Order Naming Goddard

Formal order referring the Government's anti-trust suit against the majors to Federal Judge Henry W. Goddard for trial on May 1 was filed yesterday in the U. S. District Court by Federal Judge John C. Knox.

Judge Knox's action followed the submission to him of a stipulation signed by attorneys for all the majors and the Government which provided for the date of the trial. No formal decision has been made on the Government's request for a preference since Judge Knox deferred action until disputes over preliminary steps had been decided.

William A. Scully, vice-president and general sales manager of Universal, will be quizzed by the Government on Feb. 14, it was learned yesterday. Nate Blumberg, president of Universal, has obtained an indefinite postponement of his examination.

Fawcett, Publisher Of Fan Papers, Dies

LOS ANGELES, Feb. 7.—Wilfred Fawcett, 54, publisher of various magazines including film fan publications, died today of a heart ailment. Funeral services will be held Monday in Minneapolis.

Due to illness, Fawcett had been inactive in the affairs of the company for the past three years during which time his four sons, Roger, Gordon, Wilfred, Jr., and Roscoe, directed the affairs of the company with Allen E. Norman as vice-president and general manager. Fan magazines published by the company include *Motion Picture, Screen Life* and *Hollywood.*

Booking Stage Shows

Raymond Schreiber, William Graham and Sol Burns of Midwest Theatres and the Palmer Park in Detroit are here booking stage shows and on other business. They plan to leave for Detroit tomorrow night.

M-G-M Signs Friedman

HOLLYWOOD, Feb. 7.—Charles Friedman, co-author and director of "Sing Out the News," has signed with M-G-M as writer, producer and director.

Casanave to Talk At Ampa Luncheon

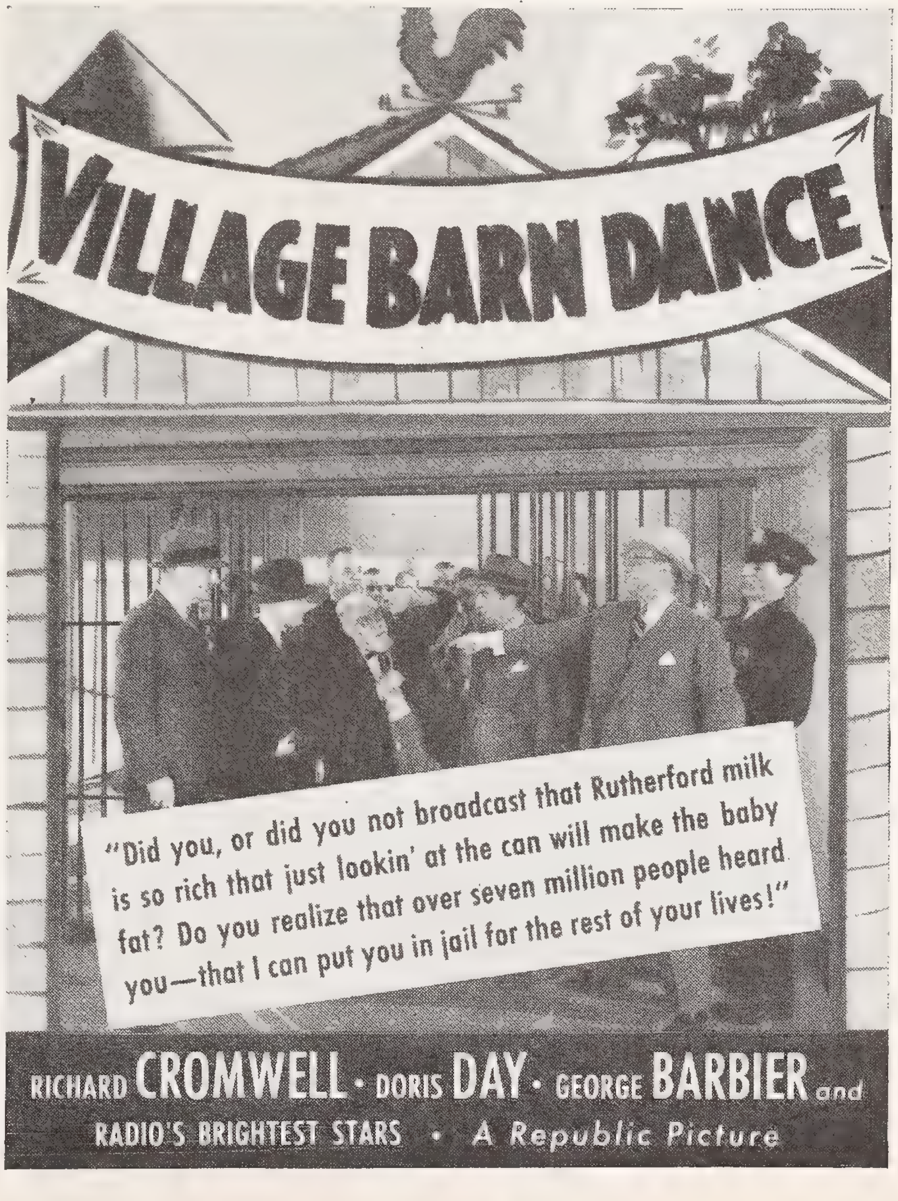
Charles A. Casanave, vice-president and general manager of Advertising Accessories, Inc., will be guest speaker at the Ampa luncheon today, at Jack Dempsey's 8th Ave. restaurant.

Casanave will discuss the aims of the new company, which is a subsidiary of National Screen Service, and its relation to the film companies' advertising departments. Advertising Accessories recently took over the accessory business of Paramount and RKO.

Canada Bars Only 17 Films During 1939

TORONTO, Feb. 7.—A report on film censorship in Canada shows that only 17 pictures were condemned outright in 1939 by the eight Provincial boards and the number of "refusals" is actually much less in the matter of pictures involved because one feature was rejected by five different boards and is counted five times. Other features were also turned down by more than one Province. The number of refusals in 1938 was 23, this total representing the decisions of one or more boards on the same features. Rejections have declined steadily since 1932 when 101 pictures were banned by censors.

Not only are fewer pictures refused licenses, but eliminations in films that have been passed have declined in the same proportion in recent years, it is pointed out. The censors have taken the attitude that it is their business to safeguard the public on very extreme occasions and not to improve on the work of the film directors. The only real difficulty in Canada, it is declared, is the continued opposition of the censors in Quebec to any pictures relating to divorce. Fewer American pictures are seen in Canada than are made and distributed in the U. S. and, it is asserted, Canadian distributors themselves exercise good judgment by not attempting to distribute pictures which would be objectionable.


VILLAGE BARN DANCE
"Did you, or did you not broadcast that Rutherford milk is so rich that just lookin' at the can will make the baby fat? Do you realize that over seven million people heard you—that I can put you in jail for the rest of your lives!"
RICHARD CROMWELL · DORIS DAY · GEORGE BARBIER and
RADIO'S BRIGHTEST STARS · A Republic Picture

Radio Shows To Exploit 10 Para. Films

Paramount stars and featured players will take part in radio programs aimed to exploit 10 of the company's new productions scheduled for Spring release.

First broadcast will be on the Good News program tonight and will have Ronald Colman and Ida Lupino for a plug for the new Colman picture, "The Light That Failed." On Feb. 15 Jackie Cooper and Betty Fields will appear with the Vox Pop show on behalf of "Seventeen." Miss Field also will appear Feb. 18 on the Pursuit of Happiness program.

On Feb. 22 Bing Crosby will start radio introductions of songs from "Road to Singapore," and will appear in connection with the same picture on the Crosby-Kraft Music Hall program, March 15 and on the Bob Hope-Pepsodent program, March 19.

Arrangements for broadcasts to tie in with release of seven other productions are being completed by Robert M. Gillham, advertising and publicity director.

Big TBS Posts Go To Boice and Sutton

Directors of the Transcontinental Broadcasting System yesterday announced the election of H. K. Boice as executive vice-president and director. For six years he was in charge of sales for CBS.

TBS directors also announced the election of George Sutton, prominent Washington radio attorney, as president.

George J. Podeyn of New York and William Porter of Washington remain as vice-presidents, as do H. J. Brennan and Robert Thompson of Pittsburgh as treasurer and secretary.

The position of chairman of the board, formerly held by John T. Adams, was abolished.

Studio Contract Set For Publicists Guild

HOLLYWOOD, Feb. 7.—Contract covering minimum wages and working conditions for publicity men in the studios has been approved by the Association of Motion Picture Producers. The agreement with the Screen Publicists' Guild now goes to individual members for their signatures.

McDonough on MPPA

HOLLYWOOD, Feb. 7.—J. R. McDonough of RKO continues as a member of the board of directors of the Motion Picture Producers Association for 1940. His name was omitted from the organization's new listing.

'Wind' in 306 Cities

Bookings on "Gone With the Wind" total 327 in 306 cities, including 27 set by M-G-M yesterday. Eighteen of these are two-a-day reserved engagements and nine are three-a-day.

Associates Install Feb. 13

Installation of newly-elected officers of Motion Picture Associates has been advanced a week to Feb. 13 at the Hotel Astor.

Trying to Resume British Television

LONDON, Jan. 20 (*By Mail*)—Television interests here have been conferring with the Post Office Department, which has jurisdiction over communications, seeking wartime television sponsored by the British Broadcasting Corp.

Such service had been suspended for fear enemy aircraft might use the wave lengths as direction finders. It is considered likely that if television is resumed, the land line method of transmission will be used. Trade interests here have been watching closely the television progress of RCA and General Electric in the United States.

Manufacturers have submitted to the Television Advisory Panel plans for the use of land lines, which are claimed to eliminate the danger of enemy use of wave length. They claim also that the plan would encourage the development of large screen television, which was interrupted by the outbreak of war.

3,200 See Brilliant 'Pinocchio' Opening

(*Continued from page 1*)

newspaper photographers were kept busy taking pictures.

Newspaper society editors as well as critics covered the premiere.

First in line for the regular performance today was Gladys Thomas of Alexandria, Pa., who appeared at the Center Theatre at 1 A. M. The box-office opened at 9:30 A. M. Miss Thomas said she was a Disney fan.

Among those attending were: Mr. and Mrs. Colvin Brown, Mr. and Mrs. Herman Wobber, Mr. and Mrs. Sam Dembow, Sam Shain, Mr. and Mrs. Andrew W. Smith, S. Barret McCormick, Jean McCormick, Mr. and Mrs. James P. Cunningham, Mr. and Mrs. Merlin H. Aylesworth, Mr. and Mrs. Frank Case, Winthrop Rockefeller, Anne Farley, Nelson Rockefeller, Iris Barry, Robert E. Sherwood, Mr. and Mrs. Thomas E. Dewey, Evelyn Coleman, John J. O'Connor, Mr. and Mrs. S. Charles Einfeld, Phil Reisman, Mort Bluemenstock, Harry Cohn, Mr. and Mrs. Zoltan Korda, Sabu, Mr. and Mrs. Jack Cohn, Nate Spingold, Edward G. Robinson, Mr. and Mrs. John W. Davis. Frederic Ullman, Jr., David Sarnoff, Mary Pickford, Mr. and Mrs. J. P. McEvoy, Charles Moss, Mr. and Mrs. Frank Buck, Mary Howard, Thyra Samter Winslow, Mr. and Mrs. L. E. Thompson, Herbert Bayard Swope, Maurice Kann, Dick Himber, Mr. and Mrs. Malcolm Kingsberg, Mr. and Mrs. O. C. Doering, Frank Donovan, Louise Rousseau, Helen Morgan, Mr. and Mrs. John Kieran, Mr. and Mrs. Fred Meyers. Mr. and Mrs. Max Fellerman, Jimmy Durante, Nat Holt, Mr. and Mrs. Jack Dietz, Irving Lesser, Mr. and Mrs. Harry Carey, Monroe Greenthal, Frankie Thomas, Mr. and Mrs. Joe Penner, Ruth Gordon, Guthrie McClintic, Diana Blythe Barrymore, Peter Arno, Mr. and Mrs. Lauritz Melchior, Mr. and Mrs. Hal Horne, Mr. and Mrs. Cresson E. Smith, Mr. and Mrs. Harry Brandt, Gladys Swarthout, Frank Chapman, Lynn Farnol. Kay Thompson. Herman Bernie, Sam Weisbord, Mr. and Mrs. Abe Lastfogel, Mr. and Mrs. Phil Reisman, Oscar A. Doob, Oscar Levant, Sol A. Rosenblatt, Mr. and Mrs. James Mulvey. Rutgers Neilson, Clifton Fadiman, Mr. and Mrs. Franklin P. Adams, Charles E. McDonald, Police Commissioner Lewis J. Valentine.

Set Pommer's First

HOLLYWOOD, Feb. 7.—"Water Gypsies," a novel bv A. P. Herbert, will be produced by Erich Pommer as his first vehicle for RKO. Maureen O'Hara is slated for the starring role.

George Shauer Dead

VALPARAISO, Ind., Feb. 7.—George A. Shauer, 47, owner of three houses here, died at his home yesterday.

Protests Canadian Political Air Censor

Montreal Feb. 7.—R. J. Manion, leader of the Canadian Conservative Party, strongly protested the censorship of political speeches made over the radio during the current national election campaign.

Appealing to the Canadian people to fight for their liberties before they lost them altogether, he said:

"I wish publicly and very emphatically to protest against the regulation which will force me and other candidates for the Parliament of Canada to submit our radio broadcasts to the censorship of the Canadian Broadcasting Corporation."

New York Theatres Aid Finnish Drive

All independent theatre owners in New York have voted to cooperate in the Finnish Relief drive, according to Major L. E. Thompson, chairman of the Motion Picture Division.

More than 2,500 girls will be used to solicit funds in the lobbies of the theatres on Feb. 17 and 18. They are being recruited by Mrs. B. W. Huebsch, Finnish welfare worker, and Mrs. Nathan Ottinger, wife of former Supreme Court Judge Ottinger.

Major Thompson disclosed that the Bijou Theatre Co. of Nashville has forwarded checks to national headquarters of the drive representing contributions from the circuit's 31 theatres.

Former President Herbert Hoover, chairman of the Relief Fund, has addressed a letter to independent exhibitors throughout the country, asking their cooperation in the drive.

Defendant Added To Anti-Trust Suit

BOSTON, Feb. 7.—E. M. Loew's, Inc., and the Winchester Theatre Co. two of the seven theatre corporations filing anti-trust suits against the eight major companies, have succeeded in adding the Middlesex Amusement Co. as a defendant in the action.

Judge McLellan granted the motion by consent of the defendants.

Open Cartoon Exhibit

An exhibit featuring the production technique of animated cartoons opens today at the New York Museum of Science and Industry in Rockefeller Center. Much of the material was taken from the production of "Pinocchio," which opened at the Center Theatre last night. The exhibition was arranged in cooperation with Walt Disney Studios, and a film illustrates the making of "Snow White."

Starting Negro Film

"Paradise in Harlem," the first of a series of six Negro pictures to be made in the East by Jubilee Pictures Corp., has started at the Seiden Studios in New Jersey. The picture will star Frank Wilson. Joe Seiden will direct and International Roadshows will release.

Radio Brevities

CBS earned $5,001,500 during 1939, according to preliminary figures subject to final audit, Frank K. White, treasurer, disclosed yesterday. The profits are equivalent to $2.93 per share as compared with $2.07 per share in 1938 when profits were [illegible],541,700. Per share earnings are calculated upon 1,709,723 shares of $2.50 par value stock.

The board of directors yesterday declared a 45 cent dividend, payable on March 2 to stockholders of record on Feb. 23.

WTOL Joins NBC—183rd Affiliate

Effective Feb. 18, WTOL, Toledo, will become the 183rd NBC affiliate as a supplementary outlet for the basic Blue network. WTOL is owned by Community Broadcasting Co., with 250 watts full time on 1,200 k.c.

Personalities in the News

Sidney M. Stotz, NBC vice-president in charge of the Chicago office, came to town by plane yesterday. . . . Mary Howard will be Sam Taylor's guest over WHN today at 5:15 P. M. . . . Alex Steinweiss has been appointed art director for Columbia Records. . . . Lawrence Ford has been appointed to the WKRC, Cincinnati, sales promotion department. . . . Charles E. Morin has been chosen sales manager of KSFO, San Francisco. . . . Robert Coleson has been named manager of radio and public address for the 1940 San Francisco World's Fair.

January Sets Records

Local and spot sales for 15 stations owned, operated or programmed by NBC, broke all previous records for January, James V. McConnell, national spot and local sales manager, declared yesterday. Revenue rose 31 per cent over the same month last year to a new high of $516,400.

Improved technical facilities and increased sales results were responsible, McConnell said.

The 15 stations are WEAF, WJZ, New York; WENR, WMAQ, Chicago; KPO, KGO, San Francisco; WRC, WMAL, Washington; WBZ-WBZA, Boston-Springfield; WGY, Schenectady; KDKA, Pittsburgh; KOA, Denver; KYW, Philadelphia; and WTAM, Cleveland.

Program News

"David Harum," Monday through Friday dramatic show, will start its seventh year over NBC-Red on Feb. 18 and will boost the number of stations used from 22 to 40 on that date. B. T. Babbitt, Inc. has renewed the show for 52 more weeks. . . . Additional station and sponsor deals recently signed brings the total of sponsored broadcasts of "The Adventures of Pinocchio" to 26. Several local cooperative exploitation campaigns are planned in connection with the Walt Disney film. . . . Starting Monday, Hecker Products will sponsor "Superman" over a special network of 11 stations. WOR will be used locally. . . . Different comedians will be starred each week in "Comedy By," a new sustainer over WOR which starts Friday, Feb. 16 at 9:30 P. M.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible] 47. NO. 30 NEW YORK, U. S. A., FRIDAY, FEBRUARY 9, 1940 TEN CENTS

U.S. Launches Lottery Probe Of 'Pot o' Gold'

Exhibitors Attack Air Show; FCC Acts

WASHINGTON, Feb. 8.—After being beseiged by complaints from numerous exhibitor organizations and individual theatre owners, the Federal Communications Commission today requested the Department of Justice to investigate the "Pot o' Gold" broadcasts over NBC-Red.

The Associated Theatre Owners of Michigan, which took the initiative in the campaign against the program, contends that the "Pot o' Gold" show is a lottery and is depriving U. S. theatres of approximately $1,000,000 boxoffice revenue a week. Various other exhibitor groups joined the Michigan organization in forwarding protests to the F.C.C. and members of Congress.

The F.C.C. has turned over all documents pertaining to the situation to the Department of Justice, which will determine whether the "Pot o' Gold" program violates Section 316 of the Communications Act. This section forbids the broadcasting of "any lottery, gift enterprise or similar scheme."

"Pot o' Gold" is sponsored by the Lewis Howe Co. on behalf of Tums. It is heard on Tuesdays at 8:30 p.m. Highlight of the program is the selec-

(*Continued on page* 12)

Delay 'Wind' 2nd Runs Until Easter

M-G-M has decided not to start any neighborhood runs of "Gone With the Wind" until Easter, March 23, or a week later. Despite demand for the picture by neighborhood and subsequent run operators, M-G-M is not discussing any such deals at present, preferring to concentrate on the first runs.

This situation prevails in New York, Chicago, Boston, Los Angeles and other cities where the film is in its first engagements.

About 30 Loew neighborhood houses in New York which were originally scheduled to get "Gone With the Wind" late in January will start the runs at Easter or April 1.

Although Balaban & Katz failed to make a first run deal on the film for Chicago, it has made overtures to M-G-M for a deal for neighborhood theatres in that city. Other groups are also willing to discuss a deal.

Ampa Hears Aims of Ad Accessories; Casanave Speaker

By AL FINESTONE

Advertising Accessories, Inc., was organized to perform an economic service for distributors and exhibitors and a showmanship job for theatres, Charles L. Casanave, vice-president and general manager, told more than 80 persons at the Ampa luncheon meeting yesterday at Jack Dempsey's restaurant.

Casanave discussed the purposes of the new National Screen Service subsidiary. He said the aim is to relieve the film companies of the necessity of operating ad sales departments and to centralize this activity so that the exhibitor may obtain his display advertising from one source.

"The large companies which invest 25 or 30 million dollars a year in films cannot be expected to be greatly interested in the relatively small ad sales," said Casanave. "These departments have not been given much attention.

"Advertising Accessories will concentrate on advertising only. We intend to forget tradition and adopt the new. We hope to improve what has been done before."

The company is not a monopoly, said Casanave. "We are doing with full authority and in a legal manner what the renters have been doing for years without authority.

"We do not intend to corral the whole advertising accessories industry. We have no intention of opening a lithographing plant or going into the printing business."

Casanave said that the company employs a large force in its art and other departments and that employ-

(*Continued on page* 10)

Five More Pictures For '40-'41 UA's Aim

United Artists new season release schedule may number five or six more productions than the current season's list, Maurice Silverstone, United Artists chief executive, said yesterday prior to his departure for the Coast.

Exact number of releases will be dependent to some extent on the outcome of Silverstone's conferences with company producers on the Coast and on negotiations with new producers which are either in work now or will be initiated on the Coast. The current season's releases probably will number 27.

Silverstone said that negotiations for United Artists release of John M. Stahl productions will be renewed on the Coast following Stahl's return there from New York. The negotiations here were suspended when Stahl was taken ill.

Charles Schwartz, United Artists attorney and board member, accompanied Silverstone west, as did members of the families of both officials.

Holiday Monday For Home Offices

All major company offices with the exception of 20th Century-Fox will close at 1 P.M., Monday, Lincoln's Birthday. 20th Century-Fox will be closed all day.

All companies plan to remain closed Feb. 22, Washington's Birthday.

Goldwyn Demands Dies Retraction; Misquoted in Article, Says Producer

Hollywood, Feb. 8.—Samuel Goldwyn today released to the press the following copy of a telegram which he addressed to Congressman Martin Dies, chairman of committee for investigation of un-American activities:

"Your article appearing in this week's *Liberty Magazine* has been called to my attention. I note you state that while you were in Hollywood you had a round table discussion at which I was present and that the producers you met were almost unanimous in their belief that Communism did not constitute a menace to the country and that the real threat came from Fascism and Nazism.

"I wish to point out to you that this statement is incorrect, as I never attended a round table discussion with you. I only met you once and that was very briefly at a luncheon given by Mr. Schenck at the 20th Century-Fox studios.

"Our meeting consisted of 'I am pleased to meet you, Mr. Dies. I think you are doing a fine job in fighting unAmerican activities.'

"Will you be good enough, therefore, to deny this story immediately."

REMITTANCE PACT GETS LONDON O.K.

$17,500,000 Is Exportable Amount; Formula Already Agreed

By SAM SHAIN

The British Government has formally approved terms of the agreement on exportable revenue from England as drawn recently by the American film companies in New York. Terms of withdrawal became immediately effective.

The amount of money which American companies may export from Britain is $17,500,000. Word of the British Government's approval was received yesterday in New York.

Under the terms of allocation of funds, each party to the agreement receives during the present year a sum proportionate to the amount of business done in England. The terms are for American-made films distributed by these companies in England. British pictures distributed by these companies are not included in the deal.

The companies recently devised a formula to govern the amounts which each will be permitted to withdraw from England. However, this formula is a tentative one and conditions may arise which may necessitate its revision.

This formula is based on the busi-

(*Continued on page* 10)

Broadway Suffers Business Slow-Up

Business was off along Broadway yesterday. "Pinocchio," acclaimed by the New York critics, got off to a slow start yesterday but is expected to build over the weekend. "Gone With the Wind" continued at capacity at both the Astor and Capitol. At the Rivoli, "Grapes of Wrath" is tapering off somewhat in its third week. "Geronimo" also had a slow start at the Paramount.

The Roxy is doing very good business with "Little Old New York" and a stage show. First week's gross was an estimated $43,500. At the Strand, "The Fighting 69th," with Paul Whiteman's band drew an estimated $47,000 for its second week. It is likely to be held over for four weeks.

"Swiss Family Robinson" also had a poor day at the boxoffice yesterday when it opened at the Music Hall. "The Little Shop Around the Corner," with a stage show, drew an estimated $70,000 in its second week there.

◂ Purely Personal ▸

Martin Quigley arrived in Hollywood yesterday.

•

At Lindy's (49th St.) for lunch yesterday, Morris Helprin, Emanuel Silverstone, Al Margolies, Harry Koziner, Sherwin Kane, Charles Aaronson, Max Fellerman, Fred Meyers, Lou Weinberg, Edward Stein, Paul Lazarus, Charles Stern, Mack Miller, Monroe Greenthal and Arthur Silverstone.

•

Arthur Mayer, Sidney Phillips, Benny Goodman, Max A. Cohen, A. P. Waxman, David Weinstock, Russell Holman, Ed Saunders and Edwin James lunching at Nick's Hunting Room in the Astor yesterday.

•

Julia Bernhardt, cashier at John Danz's Palomar in Seattle, has left for Hollywood where she will be tested for screen roles by Republic. She was selected by Gene Autry during a recent tour.

•

Leonard Fields, John Golden, Albert Lasker, Louis Calhern, Lionel Stander, Otto Preminger, Al Lewis, Morris Gest and Toby Gruen at Sardi's for lunch yesterday.

•

Spyros Skouras, William Powers, Edward Zabel and John Healy of National Theatres are remaining on the Coast another week.

•

Truman H. Talley, general manager of Movietone News, is due back late this month from a European survey. He is now in Paris.

•

T. J. Connors, M-G-M division manager, has left for West End, island off the coast of Palm Beach, for three weeks of fishing.

•

Louis Davidson of the 20th Century-Fox publicity department has sold several short stories to the *News* syndicate.

•

Robert Stack, Universal player, left for the Coast yesterday via American Airlines, on a call from the studio.

•

John Garfield will leave the Warner studio for the East tomorrow, to star in a Broadway play.

•

W. Ray Johnston, president of Monogram, is confined to his home with the grippe.

•

H. M. Richey, director of exhibitor relations for RKO, leaves tomorrow for Columbus.

•

Peter Levathes and Irving Barry of National Theatres are back from Havana.

•

Otis Skinner, actor, sails on the *Santa Lucia* today for a cruise to Chile.

•

Harry Cohn, president of Columbia Pictures, left for Miami, yesterday.

•

Joe Kaliski, formerly with Grand National in Detroit, is in town.

Tax Assessments Set for Theatres

Radio City Music Hall and the RKO Building, in which the theatre is housed, were assessed at $11,700,000, an increase of $100,000 over last year, in the New York City 1940-'41 tax assessments on real estate.

New valuations on the most important theatrical property in the city follow:

MANHATTAN	
Metropolitan Opera House	$5,400,000
Empire	845,000
Loew's State	4,100,000
Palace	1,325,000
Mayfair	1,800,000
Roxy's	4,100,000
Ziegfeld	1,100,000
Carnegie Hall	1,950,000
New Amsterdam	1,000,000
Times-Apollo	1,475,000
Booth-Shubert	1,200,000
Columbia Radio Playhouse No. 1	440,000
Astor	1,750,000
Globe	1,150,000
Strand	3,200,000
Gaiety	2,210,000
Rivoli	1,625,000
Capitol	2,350,000
Hollywood	1,125,000
Al Jolson	1,325,000
The Criterion	6,700,000
Rialto	3,000,000
Winter Garden	2,375,000
BRONX	
Grand Theatre	1,090,000
Keith's Fordham	775,000
Paradise	1,300,000
BROOKLYN	
Albee Theatre	1,700,000
Paramount	3,070,000
Strand	550,000
Majestic	250,000
QUEENS	
Lasky Famous Players Studio	735,000
Keith's, Flushing	788,000
Valencia, Jamaica	1,060,000
RICHMOND	
St. George Theatre and Building	620,000

RKO Faces $50,000 Net Loss for 1939

RKO will show a net loss of approximately $50,000 from consolidated operations for 1939 after all charges, including taxes and interest, according to current Wall Street estimates.

Result compares with net profit of $18,604 for 1938.

Interest charges for 1939 when the company was in reorganization are approximately equivalent to requirements for dividends on the preferred stock of the reorganized company, payable during 1940. Dividend requirements for this year will amount to about $770,000.

Sound Experts See New Erpi Devices

Hollywood, Feb. 8.—Heads of major studio sound departments were guests of Erpi today at laboratories here for general discussion regarding current activities in sound recording and demonstrations of recently developed equipment by Erpi for improvement of sound recording. T. E. Shea, engineering vice-president, and Donald Mackenzie, director of engineering, who are here from the N. Y. offices, described the new apparatus.

Cromwell Honored

John Cromwell, director of RKO's "Abe Linclon in Illinois," has been awarded a special trophy by the National Educational Association. Dr. William Lewin, chairman of the organization's Motion Picture Committee, informed Cromwell that he also was being made a member of the association's Film Advisory Board.

Perfect Timing

Kansas City, Feb. 8.—The Madrid Theatre here was playing "A Child is Born" the other day. Its manager, Paul Reinke, was pacing the halls of Research Hospital. Before the day was over, Mary, 8¼-pound girl, was born to Mrs. Reinke.

Paramount Chiefs Off on Trip South

Full contingent of Paramount's home office theatre executives left yesterday for visits to the company's theatre associates in the South.

The departing group included Leon Netter, Sam Dembow, Jr., Leonard Goldenson and M. F. Gowthorpe.

They will make visits to officials of the Wilby-Kincey, Lucas & Jenkins, E. J. Sparks, S. A. Lynch, and E. V. Richards circuits. Extension of the Lucas & Jenkins operating agreement with Paramount will be discussed during a visit to Atlanta.

Netter and Goldenson will vacation in Florida before returning to New York. Dembow and Gowthorpe are expected back in about 10 days.

Oklahoma Owners Fighting Neely Bill

Oklahoma City, Feb. 8.—Morris Loewenstein, president of the Theatre Owners of Oklahoma, Inc., has called on all independent theatre operators in the state to call the attention of Parent-Teacher organizations and other active groups to the necessity for defeat of the Neely bill.

Loewenstein said effective work is being done in Oklahoma and Texas in changing the attitude of women's clubs toward the Neely bill, resulting in the withdrawal of support in favor of requests that the bill be defeated. Newspapers in the area recently have called for defeat of the measure.

Lenrose Anti-Trust Suit Is Discontinued

Anti-trust suit of Lenrose Amusement Corp., owner of a Newark independent theatre, for $150,000 treble damages against the eight majors and M.P.P.D.A. was discontinued with prejudice in a stipulation filed yesterday in U. S. District Court. Plaintiff had filed suit in March, 1939, claiming that it had been deprived of product in restraint of trade.

Fox Obtains Nugent As Writer for Year

Frank S. Nugent, film critic for the New York Times, yesterday signed a one-year writer's contract with 20th Century-Fox. He will leave for the Coast by car about March 15 and report at the studio April 8.

Nugent has been given a leave of absence by his paper. Ben R. Crisler and Bosley Crowther will share his duties and there will be no additions to the reviewing staff, it is understood.

Altec Opens Office

Seattle, Feb. 8.—Local offices of the Altec Service Corp. have been opened here. Barclay Ardell is manager, the staff including O. M. Overmire and J. S. Briggs.

Newsreel Parade

Clips of various sports such as boxing, skiing, horse racing, ice skating and diving largely compose the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 44—Jap aviators, in formation flight over China, d[illegible] bombs. Reindeer roundup in Swe[illegible] Arabian twin colts born in California. Ice formation at Cape Cod. Virginia girls play in snow. Prince Bernard of Holland inspects defenses. Murphy becomes Supreme Court member. Troops in Africa. Lew Lehr. Silver Skates derby in New York. Boys club boxing bouts. Skiing in Washington. Female jockeys in Agua Caliente race. Sled dogs in training. Diving championships in Miami.

NEWS OF THE DAY, No. 242—British boat sunk. Japs bomb Chinese city. Coast Guard breaks ice on river. Fashions. Silver Skates competitions. Ski jumps. Boys boxing matches. Diving exhibition in Miami.

PARAMOUNT NEWS, No. 47—Girls ride horses in Caliente race. New Hampshire skiing. Silver Skates. Celebrate Charro days in Texas. Gasparilla carnival in Florida. Children attend opera performance. Dies-Pelley controversy in Washington. War in Finland. Honeymoon island in Florida.

RKO PATHE NEWS, No. 59 — Silver Skates derby. Lay keel for new warship. Water sports in Florida. Copper mining in Arizona. Boxing bouts at New York Boys' Club. Rubber pontoons for light planes. Coronade Town Plate race in Mexico.

UNIVERSAL NEWSREEL, No. 848—Pageant in Florida. Mardi Gras in New Orleans. Fish for lenten. Honeymoon island in Florida. Lay keel for new battleship. Weather boat for Coast Guard. Silver Skates races. Dog sled races. Model boat show. Diving in Miami. Girl jockeys in horse race.

Greece's Film Import Rules Are Accepted

New regulations which facilitate the importation of high-priced film into Greece have been adopted and meet with the approval of the film trade there, according to a report to the U. S. Department of Commerce from the American Commercial Attache in Athens.

The new regulations increase the maximum amount authorized in foreign exchange for importation of a feature film from $750 to $1,500. The importer must guarantee a minimum two weeks showing, or simultaneous one week showings in two theatres, in Athens; must post a bond to guarantee performance of all regulations and release of the imported film by April 1940.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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FLASH!

from the BOX OFFICE FRONT

MIAMI . . .

Paramount's release Sidewalks of London,"* the Charles Laughton, Vivien Leigh starrer, does tremendous opening day business, Miami Beach, Sheridan . . . topping every opening day of season except New Year's. Audience reaction to picture great!

BROADWAY . . .

Paramount's "Geronimo!" forces riot call for cops as fans jam Broadway traffic in terrific opening day, with grosses shooting to high altitudes as New York Paramount Theatre gives New York back to the Indians . . . (Maurice Rubens reports "Geronimo!" topping "Victor Herbert" in his Great States Theatres.)

*CHARLES LAUGHTON and Vivien Leigh in "SIDEWALKS OF LONDON" with REX HARRISON • Screen Play by Clemence Dane • Directed by Tim Whelan • PRODUCED BY ERICH POMMER • A Pommer-Laughton "Mayflower" Production • A Paramount Release

Federal Cash For Mexican Films Near

By JAMES LOCKHART

Mexico City, Feb. 8. — Government aid for the film industry seems to be just around the corner. The Ministry of National Economy has invited all Mexican companies to appoint delegates to a conference to be held here late this month to discuss problems affecting the industry.

President Lazaro Cardenas has assured the National Cinematographic and Allied Workers' Union, which appealed to him for help, of all possible assistance in the situation. The President said that he will advance plans that have been in preparation for the past two years for the establishment of a state-controlled bank to finance the industry.

Further assistance for the workers is promised by Vicente Lombardo Toledano, secretary general of the Confederation of Mexican Workers and Mexico's labor leader.

Mexican producers have started an intensive drive for more business in Spain by sending two of their most aggressive representatives, Antonio Soria and Jose Rodriguez, to Madrid to establish an exchange. The producers think that as the war has limited European production, Mexican pictures have a better chance in Spain.

Central Mexico's largest theatre, seating 6,000, is being built in Saltillo, capital of Coahuila State, by Gabriel Ochoa. The theatre will be inaugurated late in the Summer.

Exhibitors here are not to be taxed more heavily this year, as the Senate has rejected a a bill calling for new taxation, imposts that would exempt low-admission film houses but heavily tax those charging higher prices. The present tax scale takes 16.5 per cent of the exhibitor gross.

Atlanta Paramount Adopts Dual Shows

Atlanta, Ga., Feb. 8.—Lucas & Jenkins Paramount theatre here will adopt the double feature policy beginning Friday, becoming the first downtown Atlanta theatre to do so. The Paramount recently has been playing some big state attractions in conjunction with minor pictures. The Paramount is the L. & J. second show. The Fox is the top house.

L. & J.'s Capitol is adopting a policy of running stage and screen show four days over the weekend, and following with a picture only for three days. The Roxy theatre, independent rival, will do the same.

Seeks Sunday Film Ban

Nashville, Feb. 8.—Repeal of the Sunday film law will be asked in a resolution to be introduced in the City Council by Councilman Charles Riley. The ordinance permitting Sunday films was passed Feb. 21, 1939, after a bitter fight in the council.

News Notes From Studios

Hollywood, Feb. 8. — Twentieth Century-Fox has extended the contracts of Alice Faye, Richard Greene and Mary Healy and given a pact to Jane Darwell. . . . Joel McCrea has withdrawn from Cecil B. DeMille's "North West Mounted Police" to accept the lead in Wanger's "Personal History," from the Vincent Sheean book. Three different screen adaptations have been made of the book, but each had to be changed because of shifting events in Europe. Meanwhile B. DeMille is searching for a replacement for McCrea.

Hugh Herbert will top every other Hollywood actor in the number of roles played in one picture. He will play six in Universal's "La Conga Nights." . . . Among the vehicles fot Spencer Tracy at M-G-M is "Cyrano de Bergerac," rights to which were acquired from Alexander Korda, who had wanted Charles Laughton to play the title role. . . . May McAvoy, star of the silents, will do a bit in "Two Girls on Broadway" for M-G-M.

Victor Fleming has returned from a location survey trip to Florida to prepare for "The Yearling," Spencer Tracy vehicle which Sidney Franklin will produce for M-G-M. . . . Jerome Cowan joins the cast of Warners' "Torrid Zone," which stars Jimmy Cagney, Pat O'Brien and Ann Sheridan. Andy Devine has a featured role. . . . M-G-M has extended the writing contracts of John Monk, Jr., and Fred Finklehoffe. . . . Ian Keith joins Warners' "The Sea Hawk" cast.

Freida Inescort has been cast as the menace in "Pride and Prejudice" at M-G-M. . . . Edward H. Griffith is testing five-year-old Hilda Gruber, daughter of a Los Angeles newspaper vender, for a role in "Virginia." . . . The original stock market ticker, which was Edison's first important invention, will be used as a prop in "Edison, the Man," which Clarence Brown is directing for M-G-M. . . . RKO is negotiating with Horace Jackson and Grant Garrett for their play, "He Does as She Pleases." . . . After viewing rushes of Martha Scott's work in "Our Town," Producer Sol Lesser obtained rights to "Emma," by Jane Austen, as a vehicle for the young actress. . . . "And One Was Beautiful," magazine serial by Alice Duer Miller, recently purchased by M-G-M, will have Virginia Bruce in the lead. Frederick Stephani will produce. . . . Lew Seiler will direct "Flowing Gold," Warner film based on the famed Rex Beach story.

Goldberg and Port, producers of all-colored cast films, in addition to the 12 pictures scheduled for release by International Roadshows, will make three high budgeted films. Clarence Muse will direct one from his own original story. "Mystery in Swing," second of the 12 scheduled, is shooting now. A mystery melodrama centered about activities on a Negro newspaper, it is being produced under the banner of Aetna Film Corp., headed by Arthur Dreifuss and Dr. Rudolph Brent with Goldberg and Port as co-producers.

Arthur Tuckerman, magazine writer, has arrived from New York under contract to Samuel Goldwyn to begin work on "Tahiti," Somerset Maugham story, which will star Jon Hall and Dorothy Lamour. . . . Warners has changed the title of "We Shall Meet Again" to "'Til We Meet Again." . . . Having delivered their fourth short, "Wild Boar Hunting," Errol Flynn and archer Howard Hill are negotiating a new release contract through Warners.

Elvia Allman and Blanche Stewart, known as "Cogina" and "Brenda" on Bob Hope's radio program, have been signed for featured roles in "A Night at Earl Carroll's," Paramount. . . . Edward Sutherland is negotiating with Edward Churchill, of Paramount's publicity department, for the latter's novel, "Wings to the Sun." . . . Irving Cummings has been given a new directing contract at 20th Century-Fox. The studio also extended the pact of Sen Yung, "Charlie Chan's" son.

Warners has temporarily shelved production of "The Constant Nymph" in deference to "The House on the Hill." Merle Oberon will star in both. . . . Concluding a 16,000-mile personal appearance tour of 14 states, Smiley Burnett, Republic's "western" comedian, returned last week to Hollywood to begin work in "El Rancho Grande," Gene Autry vehicle. Accompanying him were Walter Mattox, his business manager, and Albert Ardmore, his publicity man. . . . Lee Tracy has been elected commodore of the Pacific Writers Yacht Club. . . . Andrew L. Stone is negotiating for permission to film the life of Ignace Jan Paderewski, noted Polish pianist. . . . Wesley Ruggles takes a vacation of two weeks in New York upon completion of cutting of "Two Many Husbands," his producer-director chore for Columbia.

Franklyn Warner, head of Fine Arts Producing and Distributing Corp., has purchased "Flying Heels," Charles Nevill Buck's original. . . . John Krafft will write the screenplay. . . . Joan Bennett will co-star with Louis Hayward in Edward Small's "The Son of Monte Cristo." . . . Ann Rutherford, Reginald Owen and Heather Angel have been added to the cast of M-G-M's "Pride and Prejudice." . . . Harvey Haislip is writing the screenplay for "Hell Cats," formerly "Flight Command," which M-G-M has scheduled as a Robert Taylor vehicle. J. Walter Ruben will produce.

Barry Republic Star

Hollywood, Feb. 8. — Republic's new western star will be Donald Barry, who will be starred in a series of six outdoor action films. The studio is seeking a player for the serial, "The Red Rider," from the comic strip.

Date New French Film

Premiere of "The Baker's Wife," French film starring Raimu, will be held Feb. 26 at the World. "Le Paquet au Front," American organization which aids French soldiers, will sponsor the showing.

'Destry' Hits $13,800 Total In Twin Cities

Minneapolis, Feb. 8.—"Destry Rides Again" led the box-office procession in the twin cities, grossing $8,400 at the Minneapolis Orpheum, and $5,400 at the St. Paul Orphe[illegible]

Estimated grosses for the week ending Feb. 1:

Minneapolis:

"Balalaika" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $7,100. (Average, $4,000)
"British Intelligence" (W. B.)
"Henry Goes Arizona" (M-G-M)
ASTER—(900) (15c-25c) 7 days. Gross: $2,350. (Average, $1,500)
"Judge Hardy and Son" (M-G-M)
CENTURY—(1,600) (25c-40c) 7 days. Gross: $5,100. (Average, $4,000)
"Joe and Ethel Turp Call on the President" (M-G-M)
GOPHER—(990) (25c) 7 days. Gross: $2,800. (Average, $2,500)
"Destry Rides Again" (Uni.)
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $8,400. (Average, $4,400)
"Intermezzo" (U. A.)
WORLD—(400) (25c-55c) 7 days, 4th week. Gross: $1,000. (Average, $1,400)

St. Paul:

"Destry Rides Again" (Univ.)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $5,400. (Average, $3,200)
"Balalaika" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,200. (Average, $4,400)
"A Child Is Born" (W. B.)
RIVIERA—(1,000) (25c) 7 days. Gross: $3,000. (Average, $1,800)
"Blondie Takes a Vacation" (Col.)
"City of Chance" (20th-Fox)
TOWER—(1,000) (25c) 7 days. Gross: $2,800. (Average, $1,600)
"Intermezzo" (U. A.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $1,200. (Average, $1,000)

Columbia Queries Hearing Postponed

Government's application to strike out the interrogatories of Columbia Pictures was adjourned to Feb. 13 in a stipulation filed in U. S. District Court yesterday. The motion was originally scheduled to be heard today.

Federal Judge Goddard yesterday assigned an order which gave approval to the step between attorneys for the majors and the Government which agreed upon a consolidated set of 50 interrogatories to be answered by the Government on or about March 1.

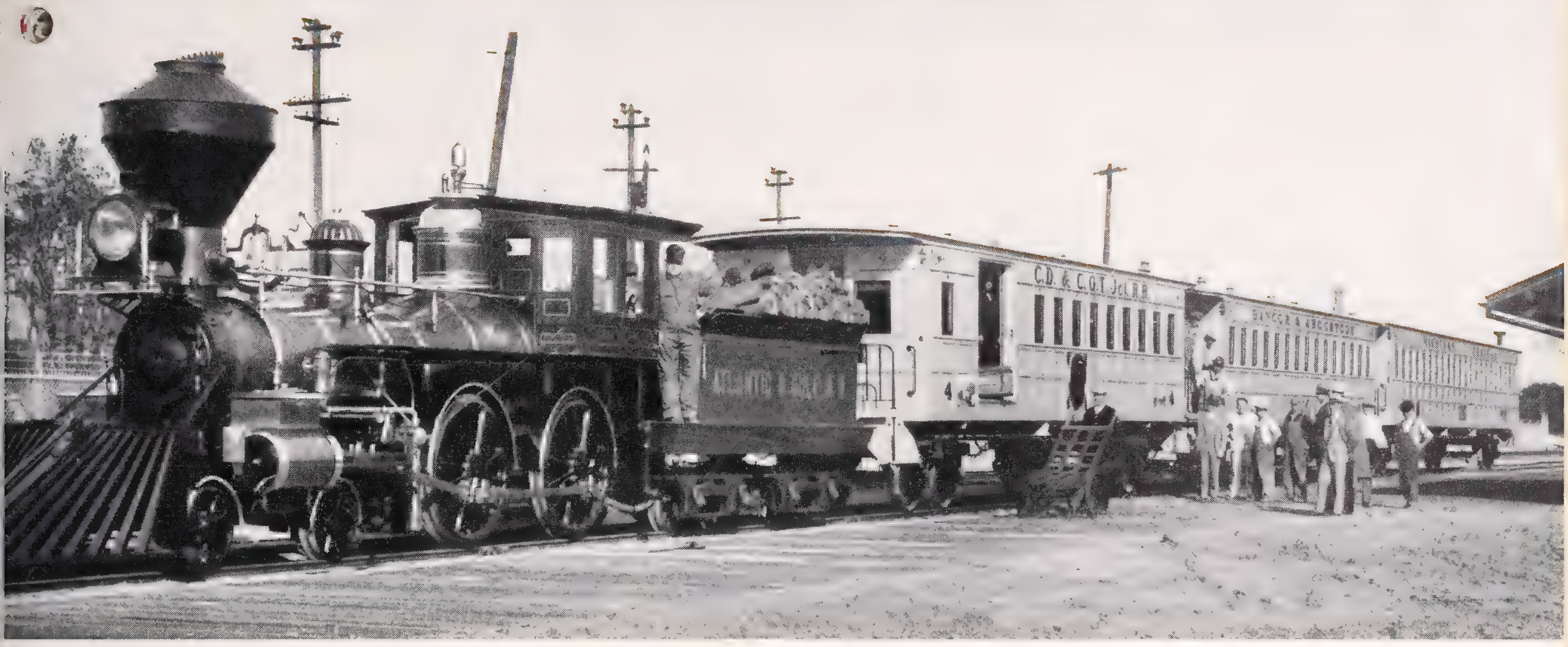
Grainger Perplexed By Crowded Lobby

E. C. Grainger, general manager of Feiber & Shea theatres, made a rush trip to New Philadelphia yesterday. One of his managers there had to explain to the authorities why his theatre lobby was filled with standees, which is forbidden by law. Grainger wants to know what picture could crowd the lobby with people. P.S. The picture, he knows for certain, was not "Gone With the Wind."

Museum Sets Program

A series of Russian, French and German films will be shown at the Museum of Modern Art Film Library during February. The illustrative films will picture the development of the medium in Russia; before the Revolution, immediately thereafter, experimental groups and the social film.

ALL ABOARD!



THE FAMOUS TRAIN ON WHICH THOMAS A. EDISON AS A BOY WORKED AS A "TRAIN BUTCHER" FOR THE GRAND TRUNK WESTERN RAILROAD . . . Including a restoration of the baggage car young Edison nearly burned down as a result of one of his youthful experiments, the train once again will traverse the route between Detroit and Port Huron on Saturday, February 10, when "Young Tom Edison," first of two Metro-Goldwyn-Mayer pictures dramatizing the life of the celebrated inventor, will have its preview in Port Huron, where Edison passed his childhood. The train is now owned by Henry Ford.

Mickey Rooney, who portrays Edison as a boy in "Young Tom Edison," will make the trip in his film character and will act as "train butcher" for Edsel Ford, Governor Luren D. Dickinson of Michigan and many other dignitaries of the political and business world who will also be aboard the train. On their arrival in Port Huron, they will participate in a mammoth Edison Day celebration. Men and women of the city will wear costumes of the 1850 period as part of the celebration. Continuing the story of the great inventor, Spencer Tracy will be seen as "Edison the Man" in the M-G-M picture of that title now in production at the Culver City studios.

METRO-GOLDWYN-MAYER is engaged in filming the life of Thomas A. Edison. The project has fallen naturally into two divisions and accordingly two important productions are on their way. The first dealing with the youth of the great inventor, entitled "YOUNG TOM EDISON", a complete narrative in itself which shows episodes in the life of a boy which led directly to the final flourishing powers of "EDISON THE MAN", which is the title of the second film.

"YOUNG TOM EDISON" is portrayed by Mickey Rooney. He gives a serious and careful characterization of the struggles of a great American during his early days in Port Huron. Directed by Norman Taurog, "YOUNG TOM EDISON" is an exciting and authentic story of a great mind in its formative stages groping in the dark before the dawn of modern progress.

It is a story typical of American opportunity, perhaps not concerned with widening the territorial frontiers of the Continent, but definitely indicative of steps that have been made in broadening the horizon of our daily life. There is something of Horatio Alger in it; something of Mark Twain, something of Tarkington, and above all, something essentially American.

We see a family as it lived its life during the time when the Union itself was a question mark and when the era of witchcraft and superstition had not yet been completely discredited. "YOUNG TOM EDISON" is simply a great story and it is a great story simply told. We suggest that you see "YOUNG TOM EDISON", as portrayed by Mickey Rooney and later on we urge you to watch for "EDISON THE MAN" as carried forward by that unquestionable artist, Spencer Tracy, under the direction of Clarence Brown.

The first (scheduled for March release)!

Mickey
Rooney

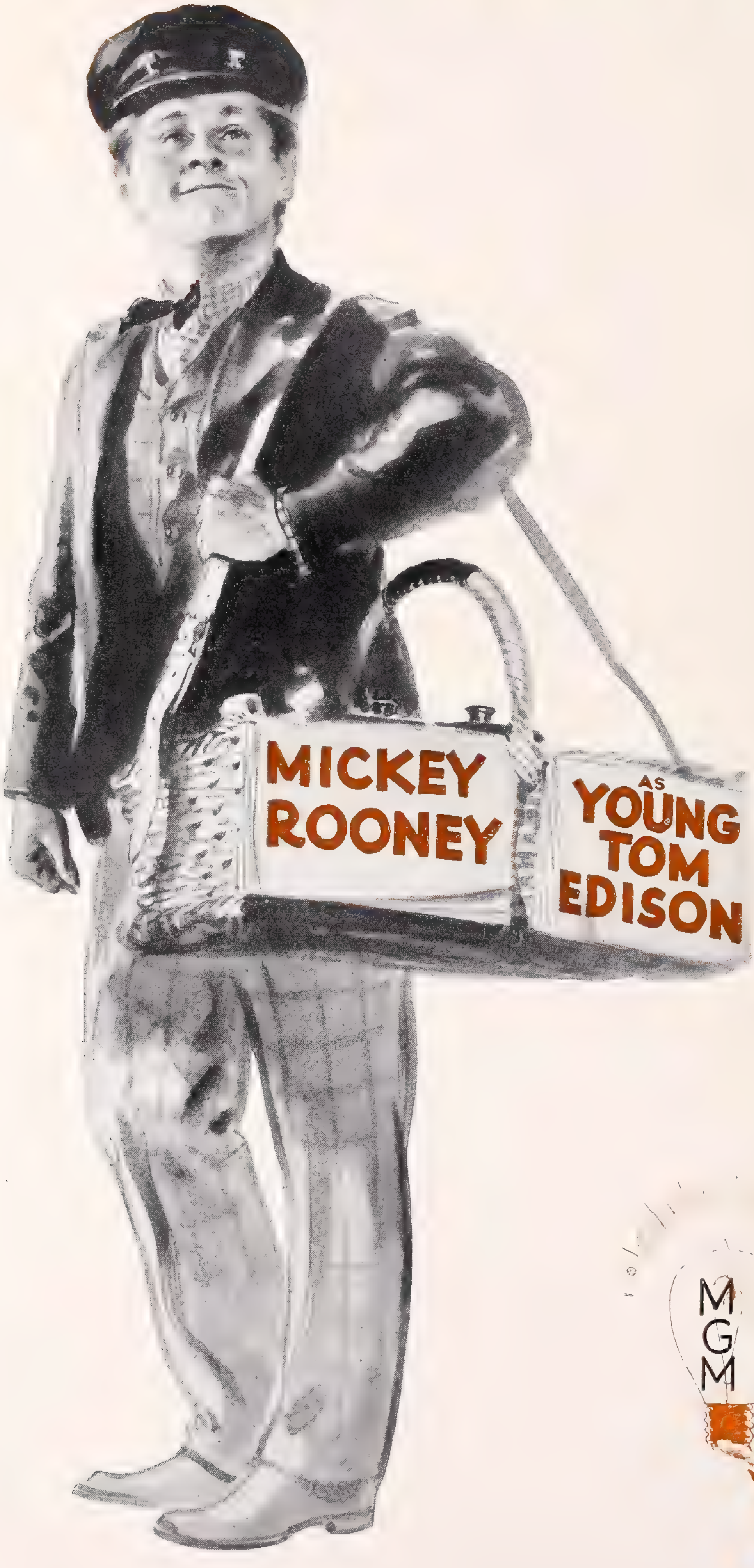
AS *Young*
Tom Edison

with *Fay* **BAINTER**
George **BANCROFT**
Virginia **WEIDLER**
Eugene **PALLETTE**

Original screen play by Bradbury Foote, Dore Schary and Hugo Butler
Directed by **NORMAN TAUROG**
Produced by John W. Considine, Jr.·Associate Producer: Orville O. Dull

A **Metro-*Goldwyn*-Mayer**
PICTURE

BIGGER THAN "BOYS TOWN"!



MGM

"Let Ther
Be Light'

PRINTED IN U.S.A.

Republic Chicago Meeting Tomorrow

James R. Grainger, Republic president, leaves tonight for Chicago, where the second in a series of regional sales meetings will be held tomorrow at the Drake Hotel.

An Eastern meeting will be held today at the New York Athletic Club, with franchise holders, branch managers and home office executives attending. Ten territories will be represented.

Following Chicago, Grainger will attend meetings in Atlanta, Feb. 15; Dallas, Feb. 17, and at the Republic studios in North Hollywood, Feb. 19.

Franchise holders attending the Chicago sessions will include Irving Mandel, who has Chicago, Milwaukee and Indianapolis branch franchises; Robert F. Withers, Kansas City; E. J. Tilton and H. M. Warren, Des Moines and Omaha; Nat Steinberg and Barney Rosenthal, St. Louis, and Gilbert Nathanson, Minneapolis.

Branch managers at the Chicago meeting will include Harry Lorch, Chicago; J. M. Frackman, Milwaukee; L. W. Marriott, Indianapolis; Carl Reese, Omaha, and Sam Seplowin, Detroit.

Coast Owners Hit Accessory Trend

HOLLYWOOD, Feb. 8.—Trustees of the Pacific Coast Conference of Independent Theatre Owners yesterday went on record as opposed to commercialized previews, cited a trend toward monopoly in ad accessory sales, asserted abuses exist in moveovers and pledged conditional protection for independent exhibitor runs.

The meeting set May 8-10 for the first annual convention of the organization, to be held at the Hotel Ambassador here. The program committee will include: Hugh Bruen, Jack Y. Berman, H. V. Harvey, Ben Levin and Robert H. Poole, executive secretary of the I. T. O. of Southern California, which will act as official host.

The trustees, representing about 2,000 independent theatre owners on the Coast, protested officially advertised previews and the practice of withholding pictures from subsequent runs by means of moveovers to what are called additional first run houses.

Under the organization's policy, it will protect the runs of independent exhibitors only if the owners do not permit their theatres to become obsolete or if runs were not first obtained through fraud or misrepresentation.

Film Suit Dropped

Suit of Societe Agatos, S. A., for $3,000 against Du World Pictures, Inc., was discontinued yesterday in the New York Supreme Court. Action charged alleged failure to pay a percentage on distribution receipts for the plaintiff's film, "Sans Famille," under a contract made in 1935.

Handle Palestine Films

Distribution of the product of the Palestine Film Corp., newly-formed producing company in Palestine, will be handled here by Roman Rebush and Al Geist. First release is tentatively titled "On Guard."

SHORT SUBJECT REVIEWS

"Drums of Fu Manchu"

(Republic)

Fu Manchu returns to the screen in a 15-chapter serial produced by Hiram S. Brown, Jr. Aided by his "Dacoit men," whose will-power has been removed by surgical operations, Fu Manchu (Henry Brandon) is engaged in an effort to conquer the entire continent of Asia. He is aided by Gloria Franklin, his daughter.

On the other side of the fence is William Royle, a representative of the British foreign office, and Robert Kellard, son of a scientist who was killed. The first chapter is replete with murders, shootings and hand-to-hand encounters. Running time for first chapter 30 mins.; others 20 mins.

"Aquapoise"

(RKO Pathe)

One of the interesting Sportscope series, this subject pictures the reckless and thrilling sport of aquaplaning behind fast motor boats in Florida waters. The initial teaching of the sport is shown, and several experts almost literally stand on their heads as they speed through the water. It's a fast and entertaining subject. Running time, 9 mins.

"Information, Please, No. 5"

(RKO Pathe)

These short subjects are as entertaining on the screen as the "Information, Please" programs on the radio. Beside the three standbys, John Keiran, Franklin P. Adams and Oscar Levant, is Christopher Morley, answering the questions thrown at them by Clifton Fadiman. This is exploitable and enjoyable. Running time, 11 mins.

"Men of Muscle"

(RKO Pathe)

Athletes in training to teach physical education, at Springfield College, Massachusetts, are the subject matter of this Reelism subject. Students are shown at the mental as well as their physical duties, ranging from microscopic examinations to mat tumbling. It is interesting material, well handled. Running time, 9 mins.

"Navajo Land"

(RKO Pathe)

The Government's supervision of the lives of the Navajo Indians on their western reservation makes for an interesting and pictorially effective short subject in the Reelism series. Done in sepia tone, the film pictures the Indians in school, at their work of herding and farming and in their simple homes. This is an effective subject. Running time, 10 mins.

"Africa Squeaks"

(Warners)

Leon Schlesinger provides an amusing Porky Pig cartoon. Porky sets out on a safari through the African jungle and encounters many strange sights including a gorilla who acts like Tony Galento, and Stanley, who is searching for Dr. Livingstone, who turns out to be Kay Kyser. There is a fast musical ending. Running time, 7 mins.

"Siege"

(RKO Pathe)

Julien Bryan, noted photographer, brought back from a visit to Warsaw, Poland, authentic and uncensored news pictures of Nazi bombing raids on the virtually defenseless city. The camera shows in stark detail the wreckage of homes and hospitals, the blazing buildings lighting the night as incendiary bombs take their toll, the pitiful mixture of fear, resignation and indignation on the faces of the aged. Most striking of all shots is that picturing the result after a Nazi plane swooped low over a field, striking down seven women who had been grubbing for potatoes. It is a better commentary on the modern war of the air, and Bryan's own simple explanatory remarks add to the effectiveness of the material. Running time, 10 mins.

"Mighty Hunters"

(Warners)

James Swinnerton, who draws the Canyon Kiddies cartoon strip, created the backgrounds for this cartoon subject, painting them in oil and producing a good illusion of depth and color. The technique is excellent, but the subject matter lacks comedy. The Kiddies are seen as hunters who become involved with a bear and other predicaments. Running time, 7 mins.

"Following the Hounds"

(20th Century-Fox)

An outstanding subject and a virtual "must" for any program. Describing a fox hunt, the reel shows how the horses are trained and then follows the pack of hounds on an actual chase. Done in color, the photography has striking beauty and realism. The colorful costumes of the riders and the scenic beauty of the surrounding country lend vividness and charm to the reel. Running time, 10 mins.

"Double or Nothing"

(Warners)

An entertaining two-reeler, during which doubles of well-known film stars present their specialties. The likeness of some of these to the real persons is amazing. Seen are the counterparts of Mae West, Joe E. Brown, Zasu Pitts, Charles Laughton, Deanna Durbin, Eddie Cantor, Bing Crosby and Hugh Herbert. There are also songs by Ed Smalle's Octette and dances by Lee Dixon. The action takes place through the medium of a "nightmare" experienced by Lee Dixon while in the dentist's chair. Running time, 20 mins.

"Information, Please, No. 6"

(RKO Pathe)

With Gene Tunney as the guest "expert," Clifton Fadiman, interlocutor, presents his "Information, Please" radio program via the screen. The three regular experts are Franklin P. Adams, Oscar Levant and John Keiran. They provide a full measure of entertainment and amusement with their answers and their wit. Running time, 10 mins.

Film Business Up in France, Says Miggins

Improving in recent weeks, American companies' film business in the Paris area has increased 60 to 70 per cent of what it was last year and in the provinces has improved still more, according to Ben Miggins, Continental European manager for 20th Century-Fox, who arrived yesterday on the *Washington.*

"The French Government is cooperating with the American companies," Miggins reported. "It is realized that films are a necessity."

Miggins said that distribution is "making progress every week" in France and that theatre attendance is increasing. Theatres are allowed to remain open until 11 o'clock or midnight in Paris and the authorities are permitting attendance up to 60 per cent of seating capacities in some cases, depending on the size of the bombproof shelters. In the early months of the war attendance was restricted more severely.

A similar situation exists in Bordeaux, Marseilles and other large centers, while in the less populated sections the restrictions are less drastic, said Miggins. He reported also that production is being revived at the French studios.

Business in Poland is disrupted and 20th Century-Fox has been unable to establish communication with its Warsaw office. Operations continue in the former Czech republic, which was annexed by Germany, but only old films are being distributed.

None of the American major companies are operating in Italy, according to Miggins. He said that the regulations on film imports recently promulgated by the Italian Government permit more freedom in some respects and he is inclined to believe that the situation will be remedied eventually.

Regarding Spain, Miggins said that the Government is reorganizing the country's economy and that the necessity still exists to conserve Spain's cash. The American companies' deposits there, embargoed since the Civil War, are still tied up. The distributors have not yet officially stated whether they will accept or reject the rules under which General Franco will permit them to operate.

Canadian Political Air Ban Is Lifted

MONTREAL, Feb. 8.—Radio censorship of political speeches in Canada will be lifted in the current national election campaign, but the ban on the broadcasting of public meetings will continue.

All parties protested the censorship of individual speeches, claiming the Defense of Canada regulations provide machinery for muzzling those who gave information of possible use to the enemy. Instead of submitting speeches to regional censors the speakers will be put on the honor system.

Plans 'Captain Kidd'

HOLLYWOOD, Feb. 8.—RKO plans the production of "Captain Kidd," based on the life of the pirate, and starring Charles Laughton.

Theatre and Personnel Notes

Shift Cincinnati Managers

CINCINNATI, Feb. 8.—Gene Works, who has been manager of the RKO Family, has been appointed manager of Gifts, downtown subsequent run, controlled by Ike Libson. Arthur Piccola, assistant at the RKO Palace, succeeds Works at the Family. James Geers, assistant manager at the RKO Orpheum, suburban subsequent run, moves to the Palace in a similar post, and Joseph Hansberry, assistant at the RKO Lyric, goes to the Orpheum. Harold Waugh, chief of service at the Palace, has been named assistant manager at the Lyric.

Enlarge Chicago House

CHICAGO, Feb. 8.—Plans for the new Morgan Park Theatre have been changed to include a mezzanine which will seat 300. This brings the capacity of the house to 1,200 seats. The Gollos Brothers will operate the theatre which will be completed early this summer.

Remodel Indiana Theatre

LAPORTE, Ind., Feb. 8.—The Cozy Theatre has been remodeled. New sound equipment has been installed.

Install New Seats

TOMAHAWK, Wis., Feb. 8.—The Lyric, operated by Mrs. Lillian Foster and Mrs. Ann Clark, has installed new seats.

Reopen Iowa House

HUBBARD, Ia., Feb. 8.—The Hubbard is again open after remodeling and repairing following a fire some weeks ago.

Remodel at Greenfield

GREENFIELD, Ind., Feb. 8. — The Riley theatre has been reopened after being redecorated.

Installs New Screen

GENEVA, Ind., Feb. 8.—Irving H. Cooper, manager of the Star, has installed a new screen and made improvements in the sound equipment of the theatre.

Renovate in Indiana

MISHAWAKA, Ind., Feb. 8. — The Tivoli has been completely remodeled and new sound equipment installed. A new type marquee has also been erected.

Purchases New Equipment

EAST ALTON, Ill., Feb. 8.—The Ritz is installing new projection and sound equipment.

Reopen Pix Theatre

LEMARS, Ia., Feb. 8.—Elser Link, manager of the Pix, has reopened the theatre after 10 weeks of remodeling.

Reopening House Soon

GARNER, Ia., Feb. 8.—Donald Gran has remodeled the Avery theatre and will reopen the house shortly.

Naulteus Plans Theatre

CHEROKEE, Ia., Feb. 8. —F. W. Naulteus plans a new theatre here on the site of the old Rialto Opera House. Thomas Parks of Storm Lake will build the theatre which is expected to be ready for opening late next Summer.

Plan Two Houses in Town

STURGEON BAY, Wis., Feb. 8.—Two new theatres are being planned for this city. George Hannon of Green Bay will build an 800-seat house and Frank Borchert of the Door Theatre Co., plans the Bay View.

Dixie Theatre Opens House

ABBEVILLE, La., Feb. 8.—The new Rex has been opened here. Operated by Dixie Theatres, Inc., the house will seat 1,000 and was erected at a cost of $12,000.

Buys Illinois Theatre

WENONA, Ill., Feb. 8. — Joseph Thomas of Elmwood has purchased the Art here from G. B. Alexander.

Purchases Iowa House

SIGOURNEY, Ia., Feb. 8.—Will H. Eddy of Indianola, Ia., has purchased the Garden from J. A. Meredith.

Hollywood Review

"Vigil in the Night"

(RKO)

HOLLYWOOD, Feb. 8.—Latest entry in the field of the grimly realistic photoplay, "Vigil in the Night" balances outstanding characterizations on the part of its name-value cast, the production and direction values contributed by George Stevens, remembered for his "Gunga Din" among many others, and its basis on the novel by A. J. Cronin, author of "The Citadel," against a total effect of unvarying bleakness.

Only box-office results can tell exhibitors whether the values enumerated above are of sufficient audience interest to counteract the essential tone of the picture—an unrelieved gray. The principal comedy touch during the more than an hour and a half which the film runs is as strictly adult as the tale itself. This comedy emerges from a nurse's description of her difficulties with an elderly patient who is beginning to feel the successful effects of a monkey gland operation.

The Cronin novel and the screenplay by Fred Guiol, P. J. Wolfson and Rowland Leigh provide a tribute to the silent and daily heroism of the nursing profession, and do so against a background uncompromisingly stark in its depiction of hospital life.

Shown in every detail is the struggle for equipment adequate to cope with any emergency bound to rise, and here concerning an epidemic of spinal meningitis. Depicted at its most sordid is the attempt of the hospital's titular head and board chairman to establish relations with an attractive and efficient nurse, resulting in her discharge. Delineated in bold relief is the effort of that nurse to make her younger sister a loyal member of the same profession, resulting in the latter's death from her work in an isolation ward.

Carole Lombard, as the nurse unswerving to her duty; Brian Aherne, as the doctor attempting to carry on against the odds of avarice and inertia; Anne Shirley, as the younger sister influenced against her will in her choice of career, but happy in her knowledge of a job well done as she dies, and Julien Mitchell, as the board chairman, contribute fine and understanding portrayals. All their roles are etched with the same underlying melancholy as the film itself.

Running time, 95 minutes. "A."*

WALTER SELDEN

**"A" denotes adult classification.*

Film Trade Press Backs Finn Drive

Fullest co-operation was promised the motion picture division of the Finnish relief drive yesterday by film trade press representatives at a conference at the Waldorf with Major L. E. Thompson, head of the division, Jack Connolly, in charge of publicity, and former President Herbert Hoover, director of the drive.

Among those at the conference were Terry Ramsaye, Mike Wear, Arthur James, Maurice Kann, Sam Shain, Charles Lewis and George Morris.

Ampa Hears Aims of Ad Accessories

(*Continued from page 1*)

ment will be increased as the business grows, thus absorbing the staffs of the companies which sign with Advertising Accessories.

The company's system of operation will be similar to the film distributors', he said, with branches in every territorial exchange center.

The poster exchanges, Casanave declared, injure the distributors because they compete with the ad sales departments and undersell them on their own merchandise. They have been able to exist because of their low prices, despite attempts of the companies to discourage purchases from renters, he said.

"Many believe that the day of the one-sheet has passed, yet that type of advertising is the backbone of the industry's advertising" said Casanave. "It has lost value because of the manner in which it has been handled."

Casanave said Advertising Accessories will attempt to do in its field what its affiliate, National Screen Accessories, has done in centralizing distribution of specialty accessories. The standing of National Screen Service, the parent company, which is 21 years old, and the record of Herman Robbins, its president, is a guarantee that the new company will fulfill its promise, he said.

Short talks were made by Mary Howard of the cast of "Abe Lincoln in Illinois" and Terry Kilburn, who is in "Swiss Family Robinson."

Remittances Pact is Given London O.K.

(*Continued from page 1*)

ness done by the companies in England for the six months ended Nov. 1, last. During the first six months of this year, these companies [illegible] withdraw 75 per cent of their proportionate share of money, based on that formula.

The remaining 25 per cent will be withdrawn in accordance with whatever changes in business shall have occurred with these companies in England during the first six months of this year.

However, to equalize it all, a reshuffling of accounts will occur at the close of the year.

At that time if the amount of funds which were withdrawn by any company based on its earnings of the last six months of 1939, shall be more than the proportionate amount it would have been entitled to, based on earnings during the first six months of this year, than that company shall make restitution of the difference to the companies which shall have been entitled to a greater withdrawal under the formula. This restitution will be made in terms of dollars in New York between companies involved, and exchanged in London in terms of pounds.

Estimates of the approximate percentages of withdrawal as applied to each company were published by MOTION PICTURE DAILY on Jan. 30.

These were as follows: Loew's, 25 per cent; Warner Brothers-First National, 18 per cent; Twentieth Century-Fox, 17.5 per cent; Paramount, 15 per cent; United Artists, 10 per cent; Columbia, 8 per cent; RKO, 6.5 per cent.

Using these percentages as a foundation the approximate amounts to be withdrawn by each of the foregoing seven companies would be as follows:

Loew's, $4.370,000; Warner Brothers-First National, $3,150,000; Twentieth Century-Fox, $3,062,500; Paramount, $2,625,000; United Artists, $1,750,000; Columbia, $1,400,000; RKO, $1,137,500.

These estimates are unofficial and may vary from one-half of one per cent to one per cent, with the exception of RKO which could be from five to six per cent higher than the estimated figure.

Film Trade Facing More Peru Taxes

A surtax of 10 per cent on total gross business done by film distributors in Peru has been proposed by the government there, according to word just received in home office foreign departments.

The tax on gross would be in addition to all other taxes on film distributors now in effect in Peru.

An investigation of the industry's status in relation to the proposed tax is now under way with a view to registering a formal protest with the State Department.

It is estimated that the tax would cost the industry in excess of $500,000 annually.

"Information"

▪ ▪ ▪ "MY THEATRE HAS LONG BEEN A SUBSCRIBER TO THE MOTION PICTURE HERALD AND I HAVE ENJOYED READING EACH ISSUE AND HAVE SECURED A GREAT DEAL OF INFORMATION FROM THE ROUND TABLE SECTION." ▪ ▪ ▪

HARVEY SWENSON
Manager

STRAND THEATRE
MINOT, N. D.

MOTION PICTURE HERALD, $5.00 *a year Domestic;* $10.00 *Foreign; 52 issues with which is combined* BETTER THEATRES, 13 *issues yearly.*

MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

U.S. Launches Lottery Probe Of 'Pot o' Gold'

(*Continued from page* 1)

tion, by the use of a spinning wheel, of a telephone number which is called directly from the studio. If the telephone is answered, $1;000 is awarded to the subscriber; if unanswered, $100 is the prize. The program, which started Sept. 25, is one of the most widely popular ones on the air.

John Butler, vice-president of Stack-Goble, agency handling the show, declared yesterday that "the show will go on." Butler asserted that the legality of the giveaway had been studied very carefully. He pointed out that the postoffice department's legal staff had ruled that literature describing the program was mailable because no violation of the lottery laws was shown. He stressed the fact that the F.C.C.'s action did not imply that any violation was involved and that the Commission did not specify that any action was necessary.

At NBC, the policy of "no comment" on the show was continued yesterday. Niles Trammell, executive vice-president, explained that the network would not embarrass a client by discussion of the program. All other sales and program officials have been instructed for some weeks that no one except Trammell was permitted to discuss it.

When questioned about the NBC program policies, which specifically set forth that "games of chance are not acceptable," Trammell admitted that it was "a good question." However, he added that the close association of the question with the "Pot o' Gold" show made it impossible to discuss at this time.

Brazil Film Decree Violates Pact, Claim

The State Department at Washington yesterday advised industry foreign officials that it believes the recent film decree promulgated in Brazil to be contrary to the United States trade treaty with that nation.

In consequence, the State Department's opinion will be forwarded to the American Ambassador at Rio de Janeiro with instructions to make representations accordingly on behalf of the industry.

The recent film decree increases censorship fees in Brazil from a current average of about $400 per feature picture to $1,600. Censorship of all imported films, including short subjects, is mandatory.

The decree also requires American distributors to purchase newsreels and travelogues made in Brazil for distribution outside that country. The purchases must be equivalent to at least 10 per cent of the film footage sent into Brazil annually by the distributor.

The industry protested the decree to the State Department as a violation of the U. S. trade treaty with Brazil, particularly that part of it which guarantees against increases in taxes and levies over the level prevailing at the time the treaty was signed.

Critics' Quotes . . .

"PINOCCHIO" (Disney-RKO)

Mr. Disney's "Pinocchio" is the happiest event since the war. . . . Is a blithe, chucklesome, witty, fresh and beautifully drawn fantasy which is superior to "Snow White" in every respect but one: the score.—**Frank Nugent, N. Y. Times.**

Walt Disney is infallible. . . . He has wrought a second full length cartoon of consummate artistry. . . . "Pinocchio" is far better technically and it is more prodigal in its comic invention (than "Snow White"). . . . A compound of imagination and craftsmanship, of beauty and eloquence which is to be found only in great works of art.—**Howard Barnes, N. Y. Herald Tribune.**

On its merits "Pinocchio" will stand up against any and all current competition. . . . The picture will be enormously successful financially. . . . Technically "Pinocchio" far surpasses its predecessor. . . . Of the material of which hits are made.—**N. Y. Daily Mirror.**

Walt Disney has waved his magic wand over Collodi's world-famous fairy story, "Pinocchio," and presto! he has changed it into the most enchanting film ever brought to the screen. . . . Full of wit and charm, beautifully photographed.—**Kate Cameron, N. Y. Daily News.**

Walt Disney has made the world a fairyland again. "Pinocchio" has come to visit us, and he'll stay a long time. . . . Like "Snow White," this is a screen classic, another of Walt Disney's cheerful masterpieces. . . . For children, it should be a completely joyful experience.—**Eileen Creelman, N. Y. Sun.**

Hollywood's one authentic genius has accomplished the astonishing feat of out-Disneying Disney himself. As brilliant as was his "Snow White," Disney's "Pinocchio" is twice as enchanting. And most remarkable is the technical progress that Disney studios have made in the past two years.—**Rose Pelswick, N. Y. Journal and American.**

Sing out the news that Walt Disney has done it again—and that in "Pinocchio" he has not only matched "Snow White" but in many respects has outdistanced it. It is a lovable film—one that leaves you tingling with joy and laughter. . . . An artistic achievement and rollicking entertainment.—**William Boehnel, N. Y. World Telegram.**

In writing of "Pinocchio" you are limited only by your own power of expressing enthusiasm. To put it in the simplest possible terms, the film is fantastically delightful, absolutely perfect, and a work of pure, unadulterated genius.—**Archer Winsten, N. Y. Post.**

Another outstanding, sensational hit. . . . "Pinocchio" is far greater than "Snow White" in many ways. . . . Its mechanical maneuvers are startling, the work of genius. It is funnier. . . . Disney reaches a new high in perfection.—**Jimmy Starr, Los Angeles Herald and Express.**

Masterfully, Walt Disney again expands the scope of cartoon entertainment. . . . A picture of remarkably robust action, highlighted by humor and poetry. . . . The camera art is triumphant. **Edwin Schallert, L. A. Times.**

It was the treat that comes once in a lifetime. . . . Of Walt Disney's genius, too much cannot be said. . . . It has a story that is exciting and entertaining. . . . Everyone who had a part can feel he has contributed a work of art to the motion picture industry.—**Louella Parsons, L. A. Examiner.**

By far the best of all Walt Disney's animated cartoons. . . . He has produced a charming, amusing and decidedly beautiful fantasy. . . . A thoroughly engaging motion picture. "Pinocchio" shows great advancement in the animated cartoon field.—**L. A. Daily News.**

Telegraph Premiere Reactions on 'Bullet'

MEMPHIS, Feb. 8.—Warners instituted an innovation in checking patron reactions here today at the world premiere of "Dr. Ehrlich's Magic Bullet" at the Warner Theatre. With the cooperation of Postal Telegraph, a teletype machine was installed in the lobby. Interviewers from two local papers, the *Press-Scimitar* and *Commercial Appeal,* solicited comments from patrons after they left the theatre.

The reactions then were transmitted by teletype to the leading exhibitors of the country; Warner home office and studio executives and the company's district and branch managers throughout the country. The comment also was sent to key city newspaper amusement desks.

Five Texas Stations Lose FCC Licenses

WASHINGTON, Feb. 8.—Five Texas broadcasting stations today lost their operating licenses, effective February 24, on the ground that they failed fully to disclose to the Federal communications commission the details of ownership, management, financing and control.

The Commission charged that while each of the five stations was licensed to different licensees there were in each undisclosed interests of Dr. James G. Ulmer and Roy G. Terry, and that the original construction permits and licenses were issued upon false and fraudulent representations.

The stations affected by the order, which they are given 15 days to contest, are KSAM, Huntsville; KAND, Corsicana; KRBA, Lufkin; KTBC, Austin, and KNET, Palestine.

Radio Brevities

NBC has granted permission to 25 Latin American stations to rebroadcast the Joe Louis fight. Standard Oil of New Jersey and four subsidiaries which are sponsoring the short wave broadcast will mention their products on the commercial[illegible] it will attempt no direct product [illegible]ing.

Tieups are being arranged among station managers, local managers of the oil companies and RCA-Victor for exploitation of the broadcast. NBC declared that it will grant permission for rebroadcasting to all Latin American stations which request it.

Program News

Sealtest will use 60 *NBC-Red stations for the Rudy Vallee show when it starts on March* 7. . . . *More than* 3,500 *guests are expected when "America's Town Meeting of the Air" is broadcast from Chicago on Washington's Birthday. . . . "In God's Country," program directed by the German-American Writers Association, of which Thomas Mann is president, has had its time increased to a half hour over WCNW. . . . News flashes will be used on station breaks every hour for Regent cigarettes over WHN. . . . "Laff 'n' Swing Club" moves to a new time, Tuesdays at* 9:30 *P. M. over Mutual next Tuesday.*

TBS Revival Looms

The possible revival of Transcontinental Broadcasting System was indicated yesterday by letters sent to stations which were to have been affiliated with the new web. Robert Thompson, TBS secretary, notified station owners that Hugh K. Boice, newly elected executive vice-president, is making a thorough study of plans for the network and will provide details "within a few days."

Personalities in the News

Alan Dinehart, Glenda Farrell and Lyle Talbot will be guests of "Fifth Row Center" over Mutual this Sunday. . . . Baukage, NBC commentator, will address the Lawyers Club in Buffalo on Feb. 17. . . . Gertrude Niesen will be guest star of Alec Templeton over NBC-Red in his first broadcast from Chicago this year. . . . Irene Rich will be unable to appear on her regular Sunday broadcast over NBC. When her condition failed to improve, doctors ordered her removal to a Hollywood hospital.

Bomb Film Officials Home

Norton V. Ritchey, foreign manager of Monogram, has received word from Helsinki that the home of Nils Dahlstroem, managing director of Suomi Films, has been destroyed by Soviet bombs. The company distributes for Monogram in Finland. Neither Mr. nor Mrs. Dahlstroem were injured, it was reported.

Sonotone Shifts Policy

CHICAGO, Feb. 8.—Withdrawal of Amkino, distributors of Soviet films, from the American market has caused the Sonotone here to change its policy to other foreign product.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible]. 47. NO. 31 NEW YORK, U. S. A., TUESDAY, FEBRUARY 13, 1940 TEN CENTS

Grip of Surety Firms on U. S. Theatres Told

$38,240,000 in Mortgages Held by 26 Companies

Washington, Feb. 12.—The 26 largest life insurance companies in the United States held mortgages on theatres amounting to $38,244,000 as of Dec. 31, 1938.

This information was reported to the temporary National Economic Committee today by the Securities and Exchange Commission.

In addition, it was shown in a voluminous report on the companies that they owned theatres and real estate of which theatres comprised the major asset amounting to $2,826,944 on which, during 1938, they had a return of $450,153.

Theatre properties sold by the life insurance companies in 1938, amounted to $358,750 on which, during the year preceding sale, the companies had a return of $34,419.

The report showed, however, that the theatre properties comprised only a small percentage of the insurance money invested in real estate which, according to Leon Henderson, S.E.C. member of T.N.E.C., is so great as to give the life companies a "first mortgage" on the country.

FCC Probe Will Fix Radio Prizes Policy

Washington, Feb. 12.—Department of Justice and F. C. C. officials anticipate that the investigation of the "Pot o' Gold" program will be completed without delay, it was learned over the weekend.

Indications are that if the program is found to be in violation of the lottery statutes, it will be ordered off the air immediately but officials refused to hazard an opinion as to whether any prosecutions would be undertaken in such an event.

It is generally believed, however, that no attempt will be made to impose any penalty under the circumstances because the program was purely an advertising scheme and the public was not required to buy tickets or otherwise contribute in order to participate.

F. C. C. officials saw in the case a good opportunity to develop a definite policy on giveaway programs, about 50 of which are now on the air.

Studios Get New Wage Cost Data; Will Meet Today

Final financial data to be submitted by the Producers Association negotiating committee to I. A. T. S. E. studio unions on Thursday was forwarded to Hollywood over the weekend and correlated with other material at a special meeting of the Producers Association in Hollywood yesterday. The Producers negotiating committee will meet today to complete preparations for the Thursday session.

The final data included production cost sheets on pictures which went before the cameras after the 10 per cent wage increase was put into effect last November. It shows the effects of the increase on production costs and, in addition, establishes the point that current operations do not reflect the effects of the wage increase since none of the pictures started during the period are in general release yet.

UA Hays Resignation Effective on March 1

United Artists' resignation from the M. P. P. D. A. will become effective on March 1.

The resignation, tendered last September, could not become effective until six months thereafter in accordance with the by-laws of the Hays organization.

The resignation applies only to the distributing corporation. It does not apply to producers affiliated with United Artists, who may be members of the Hays organization.

First Oral Credits In History of Films

For the first time in the history of motion pictures, important credits will be rendered orally when Paramount's "Buck Benny Rides Again" is shown. Names of the star and featured players will be announced by Don Wilson, who announces the Benny radio programs.

Columbia to Honor Montague in Drive

Columbia's annual sales and billings drive will be coupled this year with the 15th anniversary with the company of Abe Montague, general sales manager.

The drive will start Feb. 17 and will continue for three months through May 10. It has been designated the "Montague Fifteenth Anniversary Campaign."

Paying tribute to the general sales manager's lengthy service with the company, Jack Cohn, Columbia vice-president, declared:

"Of all the motion picture executives, I know of none with a better reputation for fair dealing than Montague has. That in itself should create an urge among exhibitors to contribute their best efforts toward making this anniversary campaign a unique success."

A series of bonuses will be awarded high ranking salesmen throughout the three months campaign. In addition, grand awards will be made to those with the best records at the close of the drive.

"Northwest Passage"

(Metro-Goldwyn-Mayer)

Hollywood, Feb. 12.—Here; Ladies and Gentlemen of Show Business, is a picture to start talking about now, if you've got it scheduled and keep right on talking about, with rising fervor, until it comes to hand, after which, by all the rules of showmanly precedent, the customers will pick up the glad news and start shouting it from the housetops.

For this is the kind of a picture the customers have always made it their personal business to tell their friends about, a solid piece of screen entertainment, sound as a bell, tight as a drum, strong as the strong men whose factual adventure the film reproduces faithfully and with tremendous power. It is the kind of picture the industry and its public thrive upon, the kind that makes paying customers out of the casual comers, friends out of strangers.

The story of the picture, based on Book One of Kenneth Roberts' historical novel of the same title, is an implicitly simple account of the Rogers' Rangers expedition, 1759, undertaken to wipe out the Abenaki Indians, allies of the French against the British in the French and Indian War. Laurence Stallings and Talbot Jennings accounted for

(Continued on page 5)

Comerford's Estate Placed At $2,000,000

Holdings in 30 Theatre Companies Revealed

Scranton, Feb. 12.—M. E. Comerford, film theatre circuit owner, owned personal property valued at nearly $2,000,000 at the time of his death in Miami, an inventory on his holdings on file with the register of wills has disclosed.

The appraisal of the estate showed a total net value of $1,739,171.32. Comerford died on Feb. 2, 1939.

Frank C. Walker, executor of Comerford's will, recorded the inventory. It showed the estate to consist principally of holdings in some 30 theatre companies and several real estate corporations.

Comerford's most valuable property, the inventory revealed, was 1,000 shares of Penn Realty Co., which was listed at $386,760. His next biggest holding was 3,334 shares of Meco Realty Co., to the value of $376,018.99.

Principal among the estate's other

(Continued on page 5)

'Pinocchio' Gross Best on Broadway

"Pinocchio" headed for a first week gross at the Center of more than $50,000 with three days of capacity holiday weekend business which spurred attendance on Broadway.

The Walt Disney feature, without stage show aid, was forced to add an extra morning performance over the weekend, grossing $32,000 for the first four days, ended Sunday, and continuing at capacity yesterday. "Gone With the Wind" also was at capacity over the weekend at the Astor and Capitol, taking an average of $3,000 daily at the former and $12,000 daily at the latter.

"Swiss Family Robinson" at the Music Hall grossed about $50,000 for the holiday weekend, indicating a $75,000 week. "Little Old New York" was strong at the Roxy with an estimated $34,000 for five days through yesterday. "Grapes of Wrath" continued steady at the Rivoli in its third week with $27,500 for the weekend, indicating another $48,000 week.

"The Fighting 69th" grossed $27,000 for the weekend, its third week at the Strand, and "Geronimo" at the Paramount did $24,500 for its first five days through Sunday.

◂ Purely Personal ▸

A. C. BROWN, foreign traveling auditor for Paramount, sailed for Europe Saturday on the *Washington.* Also sailing were JOHANNES DE GRAAF of the Eastman Kodak Co., New York, and MRS. W. R. WEBB, wife of the vice-chairman of Eastman Kodak in London.

●

MR. AND MRS. OSCAR A. DOOB arrive at Palm Springs today and will later visit the M-G-M studio. They met MR. AND MRS. ARTHUR M. LOEW at Tucson and proceeded West with them.

●

MRS. T. B. NOBLE, wife of the general manager of Westland Theatres, Inc., Oklahoma City, and their son have been delayed a week in their trip to Colorado Springs due to the boy's illness.

●

JAMES MEMERY, member of the advertising staff of Loew-Poli in New Haven, is the father of a boy, JAMES PARKER, born at the New Haven Hospital.

●

CHARLES LEVY of the RKO publicity department and MRS. LEVY are the parents of a girl, JUDY, born on Friday at the Menorah Hospital, Brooklyn.

●

E. H. COLLINS, assistant to W. J. KUPPER, Western division manager for 20th Century-Fox, has returned from a swing through the territory.

●

ROSE DRUCKER of 20th Century-Fox this week observes her 12th year as secretary to ROGER FERRI, editor of the *Dynamo,* company publication.

●

MRS. DAVID E. ROSE, wife of Paramount's British productions chief, sailed for London on the *Washington* Saturday with her son, ROBERT.

●

DON WITHINGTON has resigned as manager of the Variety Club headquarters in Oklahoma City. JAMES GARRISON succeeds him.

●

E. J. TILTON, manager of the Republic Midwest exchange, Des Moines, is back at his office a short time each day after an operation.

●

WALLACE WOLFE, chief RCA Photophone engineer at Hollywood, is visiting the company's laboratories here and in Camden.

●

HARRY LOEWENSTEIN, president of Loewenstein Theatres, Inc., Ardmore, Okla., has returned from Mineral Wells, Tex.

●

E. A. PATCHEN, assistant general manager of Standard Theatre Corp., Oklahoma City, was ill last week with influenza.

●

RUTH RICH, secretary to GUS EYESELL at the Music Hall, left Saturday for a two-week vacation in Miami.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Hollywood Review

"My Little Chickadee"

(*Universal*)

HOLLYWOOD, Feb. 12.—For the first time on the screen, the gusty, lusty humor of Mae West and W. C. Fields is presented in the same package, an episodic western comedy from Universal entitled "My Little Chickadee." Brimful of Westian lines, oral and otherwise, and the cinematic connivings, gesticulations and utterances of Fields, the picture takes them through a conveniently phoney marriage, wild life in a western town, robberies and the denouement which causes the villain to return the stolen gold after being influenced by the woman's wiles. Fields, deposed as sheriff and "husband," leaves for greener pastures for his chicanery.

With much of the humor centering about Fields' unsuccessful attempt to consummate his marriage with Miss West, who contrives a spurious marriage because she thinks Fields is wealthy, the picture is definitely adult fare.

The stars, who also wrote the original screenplay, appear for most of the film's 83 minutes, relegating but comparatively minor tasks to Joseph Calleia, Dick Foran, Ruth Donnelly, Margaret Hamilton, Donald Meek, Fuzzy Knight, Willard Robertson, George Moran, Jackie Searl and Fay Adler. Gene Austin, "Candy" and "Coco" furnish musical accompaniment for Miss West's one song, "Willie of the Valley," written by Milton Drake and Ben Oakland.

Edward F. Cline directed this Lester Cowan production.

The usual West style of stressing delivery of lines prevails throughout. Running time, 83 minutes. "A."*

VANCE KING

"A" denotes adult classification.

Kills Vineland Writ; Rehearing Ordered

PHILADELPHIA, Feb. 12.—U. S. Circuit Court of Appeals here has sent the Vineland injunction case back to the Federal District court for a rehearing.

The higher court held that District Judge William H. Kirkpatrick issued an injunction against Warner Theatre defendants and major distributors in favor of the Landis Theatre, Vineland, N. J., without any basis having been established on which to pass final judgment.

No date for the District court's rehearing of the case has been set yet.

Judge Kirkpatrick's ruling, granting the Landis a preliminary injunction, was appealed to the higher court by the defendants and argued on Jan. 19 as having an "unconstitutional" effect.

RODNEY BUSH, exploitation and publicity manager of 20th Century-Fox, has left for a Florida vacation.

●

WILLIAM B. ZOELLNER, M-G-M branch manager in Oklahoma City, today observes his birthday.

●

IRVING COHEN of the Paramount home office legal department is taking a long delayed vacation.

●

JOSEPH MOSKOWITZ of 20th Century-Fox plans to leave for the Coast late this week.

●

WILLIAM WYLER and MRS. WYLER arrived in New York from the Coast yesterday.

●

DALTON TRUMBO, writer, arrived from the Coast over the weekend.

●

GLENDON ALLVINE is visiting in Kansas City.

●

FRANK PHELPS of Warners is ill of laryngitis.

Children of Writers Attend 'Pinocchio'

More than 400 children of newspaper and magazine writers attended the first children's matinee of Walt Disney's "Pinocchio" at the Center Theatre Saturday afternoon.

After the showing they inspected a "Pinocchio" exhibit at the Museum of Science and Industry in the RCA Building.

The audience also included children of Mr. and Mrs. Irving Berlin, Mr. and Mrs. Jack Pegler, John J. O'Connor, Edwin Weisl, Jr., Mrs. Richard Patterson and others. Charles Anthony Winick, son of Antoinette Spitzer, entertained some friends, children of newspaper people, as part of his birthday celebration.

W. E. Demonstrates New Microphone

New microphone developed by the Western Electric Co. to overcome reverberations was demonstrated at Madison Square Garden Friday before radio men, technicians and press representatives.

The instrument, called the "multi-mike," can be adapted in accordance with acoustical apparatus in studios. Advantage to the talking motion picture is claimed in outdoor scenes where sound echoes from all directions.

Ohio ITO Meets Feb. 28

COLUMBUS, Feb. 12.—Directors of the I. T. O. of Ohio here have set the date for the annual convention as Feb. 28 and 29.

WANTED
SCRATCHED FILMS
You can get extra revenue out of your prints by having us restore your scratched film to practically new condition. Telephone CO 5-6767 for our low prices.
AMERICAN RECONO, INC.
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Negative-Positive-Technicolor Film Rejuvenated

'Edison' Previewed In Michigan City

PORT HURON, Mich., Feb. 12.—Industry notables attended the opening here Saturday night at three theatres of M-G-M's film, "Young Tom Edison."

Among those in attendance were: Louis B. Mayer, John W. Considine, Jr., producer of the film; Mickey Rooney, the film's star; Mr. and [illegible] William F. Rodgers, Mr. and Mrs. Howard Dietz, W. R. Ferguson, Howard Strickling, Mr. and Mrs. Ben Wickham and the Rev. Edward J. Flanagan, of Boys Town, Neb.

Prior to the preview, the celebrities were guests of the Ford Motor Co. at the Ford plant, where Henry Ford and his son Edsel greeted Mayer, Rooney and the others. A visit to the Ford museum at Greenfield Village, historical landmark, followed.

One of the original wood-burning trains on which Edison worked as a boy, was run from Detroit to Port Huron for the opening. Governor Dickinson of Michigan was among the group making the trip on the old train.

In New York, Secretary of Navy Charles Edison, son of the inventor, and Governor Moore of New Jersey on Saturday were guests of honor at a luncheon at the Astor of the Edison Pioneers. At the same time a luncheon also was being held here, the speakers including Governor Dickinson, Premier Mitchell Hepburn of Ontario, Canada; Mrs. Minna Edison Hughes, widow of the inventor, Mayer and Rooney.

A wire was sent by Edison in New York to the luncheon here, and received over the original Western Union telegraph apparatus used by the inventor. In the early evening Mrs. Hughes turned on the 50,000-watt beacon which will serve as a permanent memorial to Edison. Following the preview in the evening, at the Family, Majestic and Desmond, a ball was held.

SMPE Group Meeting

Atlantic Coast Section of the Society of Motion Picture Engineers will hold a meeting at the Hotel Pennsylvania on Wednesday. The subject will be "Quality in Television Pictures" and the speakers will be Peter C. Goldmark and John N. Dyer of the CBS television department.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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NOW—

WHILE THE WHOLE NATION IS TALKING "THE GRAPES OF WRATH"...

. . . with the word of the all-time record-breaking New York run spreading the country over . . .

. . . with big-space news breaks hitting top-circulation newspapers and magazines to reach every man, woman and child in the land . . .

. . . with the greatest reviews ever written lauding "The Grapes of Wrath" as the greatest entertainment of all time . . .

. . . with the ace columnists and radio commen-

➡

tators voicing their highest praise to their vast personal followings . . .

. . . with the Rivoli manager reporting "'The Grapes of Wrath' surpasses anything in my entire experience", and predicting a "ten weeks' to three months' run". . .

. . . with such radio programs as "Information Please","We the People", "Pursuit of Happiness" featuring "The Grapes of Wrath" from coast to coast in response to unparalleled public interest . . .

. . . with the millions asking when they can see it . . .

"THE GRAPES OF WRATH" IS YOURS!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Printed in U.S.A.

Parents Threaten Strike Over Films

In an open letter titled "Must Parents Strike," the Schools Motion Picture Committee over the week-end protested the failure of New York circuits to re-arrange their booking schedules in order to show films which the Committee believes desirable for the 1,278,000 children between the a[illegible] of five and 14 in the city.

The Committee, composed of Parent-Teacher Association leaders and organized five years ago, said that it was having an extremely hard time inducing circuits to show pictures which parents approve for juvenile patronage. The Committee criticized films which they considered unsuitable for children to see.

Eight Weeks Bring $800,000 for 'Wind'

"Gone With the Wind" enters its ninth week at the Capitol and Astor on Broadway today, after rolling up a gross of close to $800,000 in eight weeks.

The Astor, at two-a-day reserved, has been doing an average of $22,000 weekly and the Capitol an average of more than $70,000 a week.

The film is scheduled to close a four-week run at Loew's theatres in Newark and Jersey City on Feb. 22, to be followed by Columbia's "His Girl Friday" and another feature.

Comerford Leaves $2,000,000 Estate

(*Continued from page* 1)

assets were: 1,150 shares of North Penn Theatres $175,195.66; 616 2/3 shares Metropolitan Theatre Co., $126,219.33; 500 shares Capitol Theatre Co., of Hazleton, $103,013.23; 333 1/3 shares Luzerne Theatre Co., $78,369.96.

Additional amusement company enterprises listed among the stock holdings were: 84 shares Carbondale Theatre Co., $24,128.16; 167 shares Comerford Theatres, Inc., $72,739.38; 389 shares Federal Theatre Co., $45,316.39; 334 shares Hyde Park Amusement Co., $56,961.34; 84 shares Shawnee Amusement Co., $23,805.37; 334 shares West Side Amusement Co., $56,078; 25 shares Savoy Theatres Co., $30,000.

The inventory listed $24,000 in cash.

Comerford, at the time of his death, owned or controlled approximately 125 theatres in Eastern and Central Pennsylvania and New York State. In his will he bequeathed his estate to his widow, his daughter and many relatives. During his lifetime his philanthropies were large and widespread.

Dissolution Voted By Poster Renters

PHILADELPHIA, Feb. 12.—George P. Aarons, attorney for the National Poster Renters' Association, returning today after a three-day meeting of the association in New York, said that the organization had disbanded because, he explained, all except four or five of the members had sold out to Advertising Accessories, a subsidiary of National Screen. The renters association has been a cooperative unit headed by Simon Libros, head of National Penn Printing here.

"Northwest Passage"

(Metro-Goldwyn-Mayer)

(*Continued from page* 1)

the screenplay, one of the most expertly judicious and elementally dramatic scripts of recent years.

King Vidor's direction is a masterpiece of professional artistry, perhaps the most distinguished of his long and notable career. Producer Hunt Stromberg, in whose sustained sequence of immense undertakings no man may point out a failure, was never more successful, never more proficient in his handling of a vast and complex project, than here.

Spencer Tracy's performance as Major Rogers, at once commander and comrade of his doughty volunteers, is doubtlessly the finest of his career. That would be, in part, because the role is perfect for him, a rugged, courageous, commonsense variety of hero who is primarily human, resolute, determined, essentially rough, invariably credible. The Rogers personality fits Tracy like the leather shirt he wears.

Robert Young and Walter Brennan are most closely associated with Tracy in the picture and their every word and movement clicks. Other members of the large cast, all excellent, are Ruth Hussey, Nat Pendleton, Louis Hector, Robert Barrat, Lumsden Hare, Donald McBride, Douglas Walton, Isabel Jewell, Addison Richards, Hugh Sothern, Regis Toomey, Lester Mattehsw, Truman Bradley, Andrew Pena and Montagu Love. There isn't a soft spot.

An adventure story in the best meaning of the term, some 90 per cent or more of the action takes place out of doors, on streams, over mountains, in rough valleys, over barren plains, and the color camera photographs it magnificently. It is becoming stereotyped to report that the color technicians have again outstripped their previous best, but the statement is true of many exteriors in this film.

It is to be noted that the main title announces this as Book One of "Northwest Passage," suggesting that there may be a Book Two coming up. Unless the Hollywood preview audience was completely mistaken in its reaction to this, M-G-M might as well start the cameras grinding on the second section immediately.

Running time, 123 minutes. "G."*

ROSCOE WILLIAMS

"G" denotes general classification.

Academy Nominations

HOLLYWOOD, Feb. 13.—Nominations for the Academy Awards of 1939, from which the prize winners will be decided at the annual banquet on Feb. 29, are as follows:

Best Picture—"Dark Victory," "Gone With the Wind," "Goodbye, Mr. Chips," "Love Affair," "Mr. Smith Goes to Washington," "Ninotchka," "Of Mice and Men," "Stagecoach," "Wizard of Oz," "Wuthering Heights."

Best Performance by Actor—Robert Donat in "Goodbye, Mr. Chips;" Clark Gable, "Gone With the Wind;" Laurence Olivier, "Wuthering Heights;" Mickey Rooney, "Babes in Arms;" James Stewart, "Mr. Smith Goes to Washington."

Best Performance by Actress—Bette Davis in "Dark Victory;" Irene Dunne, "Love Affair;" Greta Garbo, "Ninotchka;" Greer Garson, "Goodbye, Mr. Chips;" Vivien Leigh, "Gone With the Wind."

Best Performance by an Actor in Supporting Role—Brian Aherne in "Juarez;" Harry Carey, "Mr. Smith Goes to Washington;" Brian Donlevy, "Beau Geste;" Thomas Mitchell, "Stagecoach;" Claude Rains, "Mr. Smith Goes to Washington."

Best Performance by an Actress in Supporting Role—Olivia De Havilland in "Gone With the Wind;" Geraldine Fitzgerald, "Wuthering Heights;" Hattie McDaniel, "Gone With the Wind;" Edna May Oliver, "Drums Along the Mohawk;" Marie Ouspenskaya, "Love Affair."

Best Direction—Victor Fleming for "Gone With the Wind;" Sam Wood, "Goodbye, Mr. Chips;" Frank Capra, "Mr. Smith Goes to Washington;" John Ford, "Stagecoach;" William Wyler, "Wuthering Heights."

Best Written Screenplay—The late Sidney Howard for "Gone With the Wind;" R. C. Sheriff, Claudine West and Eric Maschwitz for "Goodbye, Mr. Chips;" Sidney Buchman for "Mr. Smith Goes to Washington;" Charles Brackett, Billy Wilder and Walter Reisch for "Ninotchka;" Charles MacArthur and Ben Hecht for "Wuthering Heights."

Best Original Film Story—Felix Jackson for "Bachelor Mother;" Mildred Cram and Leo McCarey for "Love Affair;" Lewis R. Foster for "Mr. Smith Goes to Washington;" Melchior Lengyel for "Ninotchka;" Lamar Trotti for "Young Mr. Lincoln."

Broadcast Music Free to Pictures

Film producers and exhibitors will have free use of all music owned by Broadcast Music, Inc., Sidney Kaye, B. M. vice-president, declared over the weekend. Full cooperation will be sought with the industry, Kaye said, although he also pointed out that there may be a licensing charge in future years if B. M. succeeds in building up a sizeable catalogue.

Formal announcement of the beginning of operations on April 1 was made Friday. B. M. was organized by broadcast stations to develop new music independently of Ascap. Neville Miller was elected president, Kaye vice-president and Everett R. Revercomb, secretary-treasurer.

Kaye declared that only radio stations would be required to pay licensing fees. Since popularization of music is an important element in the business of music publishing, it will be to the interest of B. M. to allow films to use its music free of charge, Kaye said.

Stock subscriptions and license pledges total $1,140,375 at the present time and indications are that about $1,250,000 will be on hand before April 1. A total of 246 stations have pledged support and others are expected to join.

Mobeel Anti-Trust Suit Discontinued

Discontinuance of the $75,000, treble damage, anti-trust suit of Mobeel Enterprises, Inc., against the eight majors, Republic Pictures, Monogram Distributing Corp. and Century Circuit was filed in U. S. District Court Friday. No reasons for the discontinuance were disclosed. Mobeel, as owner of the Glenwood in Brooklyn, had charged conspiracy to deprive it of product.

8 Majors Answer Boston Trust Suit

BOSTON, Feb. 12.—Forty-five answers were filed late Saturday, deadline for answering the $2,595,000 anti-trust suit in which eight major companies are accused by seven theatre corporations from Massachusetts to Florida. The plaintiff in each case asked for trial by jury. The suits will be entered on the March term calendar.

Assembly Passes Ticket Price Bill

ALBANY, Feb. 12.—The State Assembly tonight passed, 130-0, Assemblyman Mitchell's bill restricting the re-sale of theatre tickets to 75 cents above original printed price. The measure, which now goes to the Senate, also transfers licensing authority over ticket brokers from the Secretary of State to the License Commissioner of New York City and mayors elsewhere.

Ginsberg to Para.

Henry Ginsberg, who recently resigned as vice president and general manager of Selznick International, will join Paramount as executive assistant to Y. Frank Freeman within the fortnight.

THE "BLONDIE" SERIES HAV

WHAT IT TAKES!

STUNNING RITA HAYWORTH
helps make it THE BEST OF THE "BLONDIES"!

BALANCE YOUR PATRONS' FUN BUDGET WITH

Blondie ON A Budget

Based upon the comic strip created by **CHIC YOUNG**

with **THE BUMSTEADS**

PENNY SINGLETON *as Blondie* ★ **ARTHUR LAKE** *as Dagwood* ★ **LARRY SIMMS** *as Baby Dumpling*

and **RITA HAYWORTH**

Screen play by Richard Flournoy · Directed by FRANK R. STRAYER

COLUMBIA PICTURES

Haddock to Guide AGVA's Activities

American Guild of Variety Artists on Friday elected a new executive secretary, Hoyt S. Haddock, the third person to hold that post in the six months of A. G. V. A.'s existence. Haddock, a labor consultant, will remain with the union until it is functioning smoothly and leadership developed from the ranks.

Haddock was formerly president of the American Radio Telegraphists Union, and for the past two years labor adviser for Standard Oil of New Jersey. He will continue to work for other clients, including employers, while in the union post, but will devote most of his time to A. G. V. A.

The union still has about $18,000 in cash left from loans from other actor unions, Haddock said. He denied that A. G. V. A. had withdrawn from the circus and outdoor entertainment field despite the assertion to that effect before the Miami meeting of the A. F. of L. executive board by Ralph Whitehead, executive secretary of American Federation of Actors. Whitehead is seeking a charter to organize circus and outdoor actors and workers.

Goes West to Film Will Rogers' Short

Harold Rodner, Warner executive and vice-president of the Will Rogers Memorial Fund, left for the Coast last night to supervise the selection of talent for the production of the annual Will Rogers short.

The film will be shown in theatres throughout the country during Will Rogers National Theatre Week starting April 18.

The short will be made at one of the major studios, with all companies participating.

Brandt Circuit Plans Eleven New Houses

Harry Brandt announced over the week-end that the Brandt theatre circuit plans to construct eleven new houses along Colonial architectural lines in New England this Spring. They will be built in Pawtucket and Providence, R. I.; Putnam, Danielson, Bridgeport, Darien and Danbury, Conn.; Southbridge, Milford, Great Barrington and Plymouth, Mass.

"Wrath" Will Get 65 Pre-Releases

Total of 65 pre-release engagements on "Grapes of Wrath" has been set by 20th Century-Fox. First engagement other than the Rivoli in New York will be in Miami Feb. 21. It will open at the Capitol, Cincinnati, Feb. 22.

On Feb. 29 it will begin extended engagements in 10 cities and the following day, March 1, will start in 23 situations. Other engagements will follow between March 2 and 12. National release is scheduled March 15.

Favor Ford, Capra

John Ford and Frank Capra were rated the favorite directors of the 40 students of the film course conducted at the Museum of Modern Art. Alfred Hitchcock and Rene Clair were declared the next choice.

Critics' Quotes . . .

"SWISS FAMILY ROBINSON"

In the face of psychological difficulties "Swiss Family" is an excellent job. . . . The production contains some of the most brilliant photography yet seen on the screen, and the direction is technically perfect.—**Lee Mortimer, N. Y. Daily Mirror.**

This one doesn't seem too much of a good thing . . . a bit far fetched. . . . When it stays with the book the film is considerably better. . . . Moderately entertaining—**Frank Nugent, N. Y. Times.**

A bit ponderous. . . . The show is eminently suitable for children and they will probably love it. . . . They have pointed up the moralizing of the original.—**Howard Barnes, N. Y. Herald Tribune.**

Not of classic film proportions. . . . The backgrounds are well done and the acting of the small cast is splendid.—**Kate Cameron, N. Y. Daily News.**

With bold strokes of movie magic, Johann Wyss's story of high adventure has been transferred to the screen with full, exciting flavor. . . . One that will give you a pleasant, escapist feeling.—**Los Angles Examiner.**

The incidents of the picture are for the most part funny, exciting and instructive. . . . The film is a generally creditable piece of movie making.—**L. A. Times.**

Thomas Mitchell does a superb job as the elder Robinson. . . . RKO can well puff out its chest for a production that definitely lands in the smash hit class.—**L. A. Herald Express.**

"GERONIMO"

Breathless excitement . . . delight of audiences. . . . Is somewhat inaccurate historically. . . . There is enough fast and furious movement among the characters to satisfy the most rapacious action fan. —**N. Y. Daily News.**

Indians bite the dust on quite a colossal scale. . . . Produced much more pretentiously than most westerns.—**N. Y. Journal and American.**

An old fashioned western with all the trimmings . . . a regulation old thriller at which the audience hisses the villain and cheers the cavalry.—**N. Y. Herald Tribune.**

A naive but rousing western.—**Philadelphia Record.**

Whenever it takes leave of the father-son conflict which occupies much of its celluloid, and gets down to the business of Indian fighting, "Geronimo" is a thriller.—**Philadelphia Ledger.**

Action-crammed picture. . . . The period (in American history) is vividly pictured. . . . Only the best can be said of the players.—**Philadelphia Daily News.**

Riding, scalping and shooting furnish more entertainment than the plot.—**Philadelphia Bulletin.**

"THE GRAPES OF WRATH" (20th-Fox)

People who go to pictures for the sake of seeing pictures will see a great one. . . . Is possibly the best picture ever made from a so-so book. . . . It is certainly the best picture Darryl Zanuck has produced or Nunnally Johnson scripted.—**Time.**

Zanuck proceeded to convert one of the most controversial books of recent years into one of the screen's great films. . . . The facts as Steinbeck presented them have been dramatized with a boldness and an uncompromising integrity that is rare in Hollywood.—**Newsweek.**

Sonn Loses Court Plea in RKO Case

N. Y. Supreme Court Justice McCook Friday denied an application of H. & S. Sonn, Inc., to strike out the answers of RKO Film Booking Corp., RKO Service Corp. and the White Plains Hamilton Corp. for failure to submit books and records on an examination before trial. Suit is for $200,000 damages for alleged failure on the part of the defendants to pay 50 per cent of net receipts of the RKO White Plains Hamilton Theatre under a lease with the plaintiff.

Manages Frisco Theatre

SAN FRANCISCO, Feb. 12.—Appointment of W. H. Crosby as manager of the El Rey, one of the city's largest neighborhood houses, has been announced by Roy Cooper, division manager of Golden State Theatres.

Halifax Theatre Renovated

HALIFAX, N. S., Feb. 12.—The Family here has been renovated, with 500 new chairs installed.

FCC Postpones FM Hearing to March 18

WASHINGTON, Feb. 12.—Hearings on frequency modulation broadcasting, originally scheduled for Feb. 28, have been postponed by the Federal Communications Commission until March 18.

The action was taken in order to give some of the interested parties additional time in which to prepare the material they desire to file with the commission. In order to expedite the hearings, the commission has ordered that all prepared statements shall be filed at least one week in advance of the meeting and that witnesses will not be permitted to read such statements when on the stand.

Honor Frances Perkins

HOLLYWOOD, Feb. 12.—Sonya Levien, famous film writer, will be hostess to Frances Perkins, Secretary of Labor, at a cocktail party here Feb. 14 when the cabinet member makes a short visit to Hollywood.

Tips on Exploitation

Extensive Campaign Set for 'Pinocchio'

One of the most extensive exploitation and publicity campaigns ever put behind a picture's opening here was executed by RKO and the Disn New York office for the premi Pages of roto pictures were carried in the New York *Times* and *Herald-Tribune,* and special material appeared in 50 additional dailies in the metropolitan area.

Tieups with numerous New York newspaper advertisers have been effected and 900 stores are featuring "Pinochio" in window displays. Songs from the picture will be plugged on radio programs and 1,200 tack cards have been posted at strategic transportation points. National exploitation for the picture is on a similar scale.

An elaborate press book, colorful and comprehensive, has been issued on "Pinocchio." It contains material on promotion, a manual of exploitation, various types of publicity, feature stories and suggested advertising campaigns.

Promotes 80 Window Displays for 'Wind'

KANSAS CITY, Feb. 12.—John McManus, manager of Loew's Midland, arranged 80 store window displays for "Gone With the Wind," including Woolf Brothers, which is the second time in 81 years the store has provided such a display.

Plan Feminine Preview For 'Many Husbands'

HOLLYWOOD, Feb. 12.—Columbia's film, "Too Many Husbands" will be previewed before an all-feminine audience, in a socalled "leap-year preview." Approximately 300 critics and columnists will send their wives and sweethearts to the Los Angeles showing, for which feminine projectionists and ticket takers will be used.

10,000 Match Covers Plug 'Nick Carter'

OKLAHOMA CITY, Feb. 12.—For the showing of "Nick Carter, Master Detective," Paul Townsend, manager of the Liberty, promoted 10,000 paper match books on which he stuck printed labels calling attention to the playdate of the picture. He had them distributed in all downtown drug stores, restaurants and other places near the theatre.

'Wind' Fashion Caravan Continues Illinois Tour

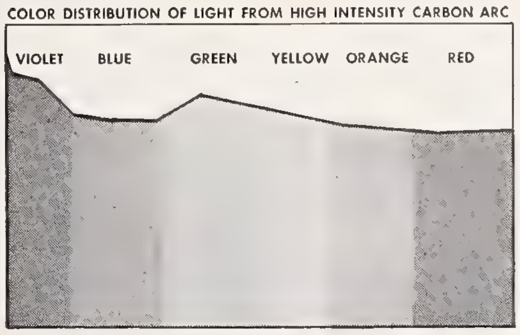
M-G-M's "Gone With the Wind" fashion caravan is continuing its tour of Illinois cities after a visit to Indianapolis. The caravan, featuring costumes and sketches used in the picture, is in charge of Capt. Volney Phifer and his wife, Eloise Phifer.

Form Kentucky Firm

LOUISVILLE, Ky., Feb. 12.—Articles of incorporation for the Rex Theatres of Louisville, with capital stock of $5,000, have been aproved. Incorporators were Matt B. Kolb, Meyer Lantz and J. M. Pound.

YOU CAN'T MAKE A SILK PURSE
FROM A SOW'S EAR

. . . and you can't show color features in natural hues with unbalanced light



COLOR DISTRIBUTION OF LIGHT FROM HIGH INTENSITY CARBON ARC

● The audience sees on the motion picture screen only those colors that are present in the projection light. If certain colors are absent from the light, the dye on the film can't put them on the screen. Excess of certain colors likewise distorts the natural hues of color features. ● High intensity carbon arc projection assures an evenly balanced light with all colors present in essentially equal intensity. This is apparent from the chart of color distribution here shown. ● This is the quality of projection light for which color film is processed. It is the only quality of light that gives *natural* color reproduction.

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High Intensity
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The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.

FCC Suffers Big Pressure By Lobbyists

WASHINGTON, Feb. 12.—Congressional lobbying is more effective against the Federal Communications Commission than most other federal administrative agencies, it is held by the Attorney General's committee on administrative procedure in a monograph on the F. C. C. just prepared as the basis for further studies.

The F. C. C. report was one of a number prepared by the committee, which plans to hold hearings with a view to drafting a final report and recommendations sometime next Fall, covering various independent agencies.

The basis for much of the lobbying directed against the Commission is the "financial stake" involved in broadcast licenses, the committee explained.

"The Congressional response in this particular area of regulation is stronger than it might be if it were stimulated only by a desire to pacify important residents of the affected districts, for it is a commonplace that the radio is rapidly becoming the most effective electioneering medium; congressmen may have much to gain personally by the licensing of new stations in their home territory and by securing the 'friendship' of station owners," it was commented.

However, the report added, it is impossible "to indicate what effect congressional pleas may have either upon individual commissioners or upon the entire commission." It was pointed out that a "superficial" attempt has been made by the Commission to remedy the situation but, it was held, "so long as it is popularly supposed that the Commission's decisions may conceal rather than reveal the true determinants of the officials' judgment, there will be persistent efforts to subject the Commission or its individual members to political pressures."

Study Lawyer Status In Momand's Action

OKLAHOMA CITY, Feb. 12.—The question of whether J. B. Dudley, attorney, is qualified to represent the defendant in the Federal anti-trust law suit of A. B. Momand, Shawnee, Okla., against the Griffith Amusement Co. and Consolidated Theatres, Inc., has been referred by Judge Alfred P. Murrah to the committee on grievances of the Oklahoma State Bar Association.

Dudley, who withdrew as attorney for the Griffith company some time ago, filed a petition in Federal Court last week asking Judge Murrah to pass upon his qualifications.

Eight Join Club

OKLAHOMA CITY, Feb. 12. — Sol Davis, assistant property man of the local Variety Club, announces that eight new members have been accepted for membership in the club recently. They include Walter Dolan, Cliff White, Jr., Hy Martin, John Feeney, Charles Rook, James Allen Smith, Louis Barton and Ray Hughes.

New York Review

"Calling Philo Vance"

(Warners)

From the late S. S. Van Dine's detective novel, "The Kennel Murder Case," another adventure of that amazingly clever gentleman sleuth, Philo Vance, is brought to the screen. The formula is good, and successful, the original novel was popular, and the exhibitor may be assured of a salable detective film.

William Clemens, who directed, held the pace well, starting actively and maintaining the speed, as the story, revolving about war plane plans sought by several governments, starts in Vienna, and moves to Washington. In this case Vance is acting for the Federal government, a detective on special assignment from the Bureau of Investigation. However, he still has Markham, this time as a Federal official, and the not-too-clever detective.

James Stephenson, essaying the role of Vance, handles it capably, if not brilliantly, while Henry O'Neil, as Markham; Edward Brophy, as the detective; Margot Stevenson, Ralph Forbes and Donald Douglas render competent assistance.

As Vance goes on the trail of a plane designer suspected of selling his plans to foreign governments, despite an exclusive arrangement with the United States, his suspect and a brother are murdered. With a handful of likely suspects, Vance unties the knot smartly and entertainingly.

Running time, 62 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

'Woman' Is $14,500 Cincinnati Leader

CINCINNATI, Feb. 12. — "I Take This Woman" took $14,500 at the RKO Palace, while the "N. T. G. World's Fairest" revue on the RKO Shubert stage helped "Congo Maisie" to a $13,000 gross.

Estimated takings for the week ending Feb. 7-10:

"Remember the Night" (Para.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,000. (Average, $12,000)
"I Take This Woman" (M-G-M)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $14,500. (Average, $10,000)
"Congo Maisie" (M-G-M)
RKO SHUBERT—(2,150) (42c-60c) 7 days. Stage: "N. T. G. World's Fairest" revue. Gross: $13,000. (Average, $10,000)
"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1-$1.50) 7 days, 7th week. Gross: $21,000. (Average at 35c-42c, $6,500)
"Geronimo" (Para.)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $3,800. (Average, $5,000)
"Oklahoma Frontier" (Univ.)
"Bombs Over London" (Film Alliance)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,500. (Average, $1,500)
"Escape to Paradise" (RKO)
"Emergency Squad" (Para.)
RKO FAMILY—(0,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"His Girl Friday" (Col.)
KEITH'S—(1,500) (30c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)

Theatre Prize Tax Offered in Kentucky

LOUISVILLE, Ky., Feb. 12.—A bill has been introduced in the Kentucky legislature to levy a tax of 15 per cent of all cash prizes given by motion picture houses, or any other places of amusement.

Pink G. Curd, author of the bill, said that since "Bank Night" was made legal by the last legislature, "we might as well get some revenue out of it." The bill mentions cash prizes only.

Associates to Install

Harry Hershfield, Broadway wit, will be master of ceremonies at the annual installation of officers of the Motion Picture Associates at the Hotel Astor at noon today. Jack Ellis will be installed president.

Promotions Made On Universal's Staff

HOLLYWOOD, Feb. 12.—Cliff Work, vice-president and general manager of Universal, today announced a series of promotions of executives and employees under which Milton Schwarzwald has been placed in charge of exploitation and musical productions and Jack Gross in charge of "Idea Pictures."

Marshall Grant, story editor, has been made associate producer. Don Brown, executive secretary to Work, will be Gross's assistant. Greg Dowling, secretary to Operations Manager David Garber, takes Brown's former post. Elmer Grether of the prop department moves into Dowling's former position. Leonard Cripps, assistant to Grant, becomes the new story editor under the supervision of Dan Kelley. Grant's first picture will be "Bombay Uprising."

WMCA Transmitter

WMCA has been authorized by the F.C.C. to build a 5,000-watt transmitter at Kearny, N. J. This will include a new type three-tower directional antenna system which will give WMCA the strongest daylight signal at any independent station in the New York area. It will boost WMCA's daylight power five-fold. WMCA has had its transmitter for the past eight years at Flushing, L. I.

Theatre Pioneer Dies

CONNEAUT, O., Feb. 12. — W. A. Pittis, 80, pioneer theatreman, is dead here. More than 30 years ago, he was among the group of men who started the first film exchange in Pittsburgh. He opened Conneat's first theatre in 1906. Later Pittis operated theatres in Cleveland and Buffalo.

4 Stars in 'Boom Town'

HOLLYWOOD, Feb. 12.—Metro will co-star Clark Gable, Spencer Tracy, Claudette Colbert and Hedy Lemarr in "Boom Town" to be produced by Sam Zimbalist and directed by Jack Conway.

Radio Brevities

AN extensive farm news hookup has been arranged at CBS which will cover the country and give last minute news on agricultural conditions, Charles Stookey, director of farm broadcasts, announced over the weekend.

Under the direction of Leon Levine, assistant director of education, regional directors will report on conditions and they will be summarized by Stookey on "Columbia's Country Journal" each Saturday at noon. When crop conditions warrant, the broadcasts will be made directly from the different regions.

Personalities in the News

Reinald Werrenrath and Egon Petri will be guest contestants on "So You Think You Know Music" over CBS on Friday. . . . Miriam Hopkins and Edmund Lowe will be guests on "Texaco Star Theatre" in a dramatization of "Jezebel" tomorrow over CBS. . . . Fannie Brice may do a play for the Theatre Guild this Fall. . . . C. S. Ferris, formerly with Blackett-Sample-Hummert, has joined the H. W. Kastor & Sons agency as vice-president. . . . Edwin G. Foreman, Jr., has organized the Foreman Co. in Chicago. He will act as station representative. Morse Ely and Sylvia Dowling have joined the script department of William Esty & Co. . . . Ruth Gordon, who plays the role of Frau Ehrlich in Warner's "Dr. Ehrlich's Magic Bullet," will be guest expert on "Information, Please," over NBC-Blue tonight at 8:30.

Ex-Mayor Emcee on WHN Show

Former Mayor James J. Walker will be master of ceremonies on WHN's amateur hour which will be revived Feb. 26. Broadcasts will take place Monday nights from 9 to 10 P. M. from the stage of Loew's State Theatre.

Program News

The starting date for "Cash on Delivery" over Mutual has been postponed to Monday, Feb. 28. . . . Applications for "Uncle Don's" child talent quest in his tieup with Monogram close on Feb. 29. . . . Isabel Manning Hewson, one of the first women commentators on radio, will reveal the philosophy she derived from "Pinocchio" over WEAF at 9:30 A. M. today in her Sheffield "Morning Market Basket" program. Mutual will have an exclusive National Defense Week program Friday at 11:15 P. M. Speakers will be Gen. John J. Pershing, Secretary of War Harry A. Woodring, Rupert Hughes, the novelist, Dr. Robert Sproul, president of University of California, and Lt. Gen. DeWitt, commander of the Fourth Corps.

119th Mutual Affiliate

KPAC, Port Arthur, Texas, has joined the Mutual web, making a total of 119 affiliates.

Free Lunch at Radio Show

And now it's free lunch! In addition to the many radio giveaways and contests, Ilka Chase's new show over NBC, "Luncheon at the Waldorf" offers a free meal to members of the audience who participate in the show.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]. 47. NO. 32 NEW YORK, U. S. A., WEDNESDAY, FEBRUARY 14, 1940 TEN CENTS

Won't Give Up 10% Increase, Unions Warn

Aim to Fight Producers At Parley Tomorrow

Hollywood, Feb. 13.—Voting to reject any wage increase recession proposal, leaders of the Conference of American Federation of Labor Studio Unions today accepted an invitation of producers to meet Thursday afternoon to open discussions of readjustment of wage scales.

At that meeting the studios will ask the unions to formally relinquish the 10 per cent wage increases granted last November.

Conference heads, representing about 20 locals, including 10 I.A.T.-S.E. groups, will first meet Thursday morning to formulate their strategy in dealing with the producers. It is the opinion of informed observers that the wage increase issue will go to arbitration.

The decision to resist any attempt to have the increases revoked came at today's meeting when union men com-

(*Continued on page* 7)

22 Firms Absorbed By Ad Accessories

Advertising Accessories, Inc., recently-formed subsidiary of National Screen Service, has acquired 22 of the 25 units of the National Poster Service Association, Charles Casanave, vice-president and general manager of the subsidiary, said yesterday.

Deals are now pending with the remaining three units, Casanave declared. These three are Western Poster Co., Inc., San Francisco; Southern Poster Service of Los Angeles, and Western Poster Co. of Northwestern Seattle. The three, affiliated with each other, are represented in the current negotiations by R. R. Wolf, A. J. Aaronson and Max M. Morris.

Casanave declared that the heads of the 22 absorbed units would become associated with Advertising Accessories, representing the company in their respective districts.

Simon Libros, president of National-Kline Poster Co., Philadelphia, and president of the Poster Association, was instrumental in closing the individual deals, Casanave said. Libros will be retained in an advisory executive capacity by Advertising Accessories.

Guilds Will Debate Communism Claims

Hollywood, Feb. 13.—The Inter Talent Council, composed of representatives of the Actors, Writers and Directors Guilds, will meet tomorrow noon to discuss what stand, if any, should be taken on stories concerning alleged Communism in Hollywood. The Council will specifically discuss Congressman Dies' articles in *Liberty Magazine*.

O'Connor to Head Industry Section Of Catholic Drive

John J. O'Connor, operating head of RKO Theatres, has been named chairman of the motion picture and amusement industries group in the 1940 Annual Catholic Charity Drive. O'Connor is now forming his committee.

J. J. O'Connor

The drive, which is an annual affair, will be sponsored by the Archbishop's Committee, headed by Alfred E. Smith, chairman, and Frank C. Walker, treasurer.

The following industry figures already have accepted invitations to serve on the 1940 committee:

Harry Buckley, United Artists; H.

(*Continued on page* 2)

Patterson Funeral In Atlanta Saturday

Funeral services for Willard C. Patterson, assistant general manager of Warner Theatres, will be held in Atlanta on Saturday from the Patterson & Son chapel.

Patterson died Monday at Palm Springs, Cal. Mrs. Patterson is en route with her husband's body and will stay at the Biltmore Hotel in Atlanta.

Nat Fellman of the Warner Theatres executive staff will represent the company at the funeral. Mrs. Irma Flanders, Patterson's secretary, will leave here tomorrow to attend.

Patterson, who was 53, was born in Atlanta. Following a period in legitimate theatre work as advance

(*Continued on page* 8)

GODDARD REBUKES U. S. FOR TACTICS USED ON MAJORS

Jack Cohn Balks at Two Questions at Pre-Trial Examination

The Government yesterday completed a one-day pre-trial examination of Jack Cohn, vice-president of Columbia, in its anti-trust suit against the majors. Cohn, second Columbia official to testify, answered all except two questions asked by Special Assistant Attorney General Robert L. Wright.

The first of these was a request to produce a list of all exhibitors in 36 key cities who were entitled to first run Columbia films in the past five seasons. The second was an objection to a question whether Cohn had ever considered the advisability of the acquisition of theatre interests by Columbia.

Examinations will continue today when William A. Scully, general sales manager of Universal, will testify. RKO officials appear Monday.

Cohn, in describing his background and duties, stated that he owned no financial interests outside of Columbia. In 1929, his company embarked on a policy of building up a national distribution system because he was convinced that it could only become a major concern by that policy, he declared.

In behalf of Columbia, Cohn agreed to furnish a number of detailed lists to the Government, including one showing all franchises with exhibitors; a confidential statement of pictures produced for the company by independents with the terms of financing; and a list of pictures which were sold separately from block book sales.

Bioff Isn't Fugitive, Gov. Olson Hints

Los Angeles, Feb. 13. — Governor Olson, after listening to attorneys for William Bioff, I.A.T.S.E. leader, today took under advisement an extradition plea of Illinois authorities who want Bioff to finish serving a sentence imposed on him in 1922.

At a hearing in Sacramento, Olson declared: "I am not satisfied that Bioff is a fugitive from justice. I want to study all circumstances and affidavits in this case. I also want to look into circumstances why Chicago authorities had never apprehended Bioff prior to his coming here."

Columbia Scores Victory On Queries; Case Badly Handled, Says Judge

Federal Judge Henry W. Goddard, who will preside at the trial of the Government's New York anti-trust suit against the industry, yesterday upbraided Government attorneys for their "very arbitrary attitude" in preliminary phases of the litigation, in the course of a hearing in U. S. District court here.

The hearing was on the Government's objections to furnishing Columbia with separate answers to interrogatories and ended in a complete victory for the company.

Judge Goddard ruled that Columbia may have access to the consolidated answers which the Goverment will furnish to all other defendants by March 1 and that if the information provided is insufficient, Columbia may come before him again on March 8 to renew its request for additional information.

The Government had rejected Col-

(*Continued on page* 6)

9,000 Theatres Give Finn Drive Support

More than 9,000 theatres will participate in collections for the Finnish Relief Fund next Saturday and Sunday, Feb. 17 and 18, the Motion Picture Division of the Fund reports.

All major circuit houses and thousands of independent theatres will participate in the two-day collections which will be conducted in the lobbies by volunteer workers. The days have been designated "Motion Picture Help Finland Days."

Because of the limited time and per-

(*Continued on page* 6)

Actors Push Probe of Casting Bureau

Hollywood, Feb. 13.—A two weeks' extension of the investigation into alleged job payoffs and other irregularities in the Central Casting Bureau has been approved by the Screen Actors Guild. A private detective, making the investigation, made a preliminary report last night.

O'Connor Leader Of Catholic Drive

(*Continued from page 1*)

M. Doherty, Warner Brothers; Austin Keough, Paramount; Charles L. O'Reilly, Sanitary Automatic Candy Co.; Martin Quigley, Quigley Publishing Co.; Nate J. Blumberg, Universal Pictures; William A. Scully, Universal Pictures, George C. Walsh, Netco Theatres Corp.; Jack Pegler, Lord & Thomas; James R. Grainger, Republic Pictures; Joseph McConville, Columbia Pictures, Charles B. McDonald, RKO Theatres and Frank C. Walker, Comerford Theatres.

The full committee is expected to be completed by the end of this week.

Paramount Officials Combat Neely's Bill

Means of combating the Neely bill and other legislation inimical to the industry were discussed by Paramount theatre associates and home office executives meeting this week in Miami Beach, according to word received at the Paramount home office yesterday.

The meeting was described as "informal" and was attended by Barney Balaban, Paramount president, and Austin C. Keough, vice president and general counsel, who have been vacationing in Florida.

In addition, the Paramount home office theatre executive staff, consisting of Leonard Goldenson, Leon Netter, Sam Dembow, Jr., and M. F. Gowthorpe, who left New York for Miami last Thursday, was in attendance.

Purely Personal

JOSEPH BERNHARD, general manager of Warner Theatres, ill at Lenox Hill Hospital, was reported last night as slightly improved.

•

J. J. MILSTEIN, eastern representative for EDWARD SMALL, has left for a 10-day vacation in the South, following which he will go to Hollywood to confer with SMALL on new season production plans.

•

STANTON GRIFFIS, MILTON KUSELL, SI FABIAN, JOHN LODGE, A. P. WAXMAN, EDDIE DOWLING, MARK HANNA, CHARLES SONIN, DENNIS KING, LEE SHUBERT and PHIL BAKER at Sardi's for lunch yesterday.

•

W. RAY JOHNSTON, president of Monogram, returned to his desk yesterday after having been ill for a week with a severe cold.

•

ANDREW NIEDENTHAL, suburban theatre owner, is the father of a seven-pound boy, born last week to MRS. NIEDENTHAL in Cincinnati.

•

WILLIAM WYLER, director, and MRS. WYLER, on vacation in the East, leave today for a visit at Lake Placid prior to a West Indies cruise.

•

WILLIAM F. RODGERS, M-G-M general sales manager, has arrived at the studio for conferences. He is due back early in March.

•

NED E. DEPINET, RKO vice-president and distribution head, returned to New York from the Coast yesterday.

•

SONJA HENIE is in town for a few days before opening her ice revue in Boston.

•

ALEXANDER KORDA will arrive from Europe on the *Rex*, Thursday, and plans to leave for Hollywood over the weekend.

•

MONROE GREENTHAL, JACK HALEY, JOSEPH MOSKOWITZ, JOSEPH PINCUS, HARRY and JACK GOETZ, W. RAY JOHNSTON, WILLIAM FITELSON, THOMAS LOACH, IRVING HOFFMAN, RUBE JACKTER, SAM CITRON, WILLIAM A. SCULLY, GEORGE SKOURAS, HOBART HENLEY and JOSHUA LOGAN lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

OTTO LEDERER, exhibitor, formerly with First Division Exchanges, has joined Merit Pictures in an executive capacity. JERRY WILSON and E. V. SEGALL will be associated with LEDERER.

•

CHARLES E. MCCARTHY'S, ERNO RAPEE, MAX A. COHEN, RUSSELL HOLMAN and WILLIAM ORR at Nick's Hunting Room in the Astor for lunch yesterday.

•

CHARLES SONIN, M-G-M purchasing agent, is a grandfather. A son was born Saturday to his daughter, HALENE, wife of MONROE J. MEYERS, at Polyclinic Hospital.

•

MIRIAM HOPKINS arrived yesterday by plane from the Coast. She will remain in New York for two weeks before returning to Hollywood.

•

M. N. GRASSGREEN, 20th Century-Fox branch manager in Albany, has returned to his office after a two-week vacation.

•

FLOYD STAWLS, manager of the Carillon, Richmond, and WILLIAM ATTMORE, RCA engineer, have left for a week's vacation in Florida.

•

ELIZABETH COPELAND NORFLEET, motion picture editor and critic for the *News Leader* in Richmond, is the mother of a boy born Friday.

•

JOHN S. HARRINGTON, manager of Monogram prints and accessories department, has left for a six-week tour of the company's 29 exchanges.

•

JOHN M. STAHL is recovering from his recent attack of influenza at his hotel here and may be able to leave for the Coast at the end of the week.

•

FRANK WHEATING, operator of the Park, Cobleskill, N. Y., has recovered from a recent illness.

•

AL ROSECAN, owner of the Princess, St. Louis, leaves for Florida this week with his family.

•

JOHN BROWN, manager of the Mozark, Springfield, Mo., is convalescing after a major operation.

•

BOB WEITMAN, managing director of the Paramount, returned yesterday from Newburgh, N. Y.

•

JOSEPH A. MCCONVILLE, Columbia foreign manager, has returned from a business trip to Mexico and Cuba.

•

JOHN MURPHY, assistant to JOSEPH R. VOGEL at Loew's, has returned from Miami.

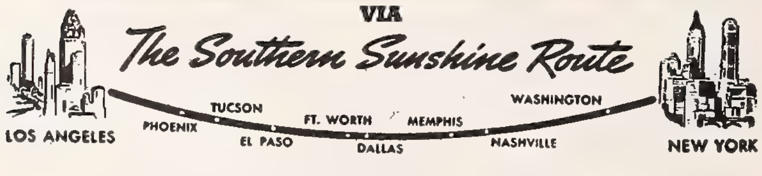
•

WILL H. HAYS entrained from Hollywood last night for New York.

Fly American

OVERNIGHT TO CALIFORNIA

VIA



● Over the fields of Dixie, over the sunny plains and golden deserts of the Southwest, four American Flagships every day whisk travelers to their destinations in luxurious ease and comfort. Giant Skysleepers . . . complimentary meals . . . stewardess service. Make your next trip to the West via this nature-favored route. For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices, 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES *Inc.*

ROUTE OF THE FLAGSHIPS

Newsreel Parade

President Roosevelt's address before the Youth Congress in Washington is a major event covered for the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 45—Roosevelt addresses Youth Congress. Tornado hits Georgia town. British mine layer at sea. Fire follows air raid in Helsinki. Pad[illegible]ewski appointed head of Polish Gove[illegible]nt in exile. N. Y. U. vs. Notre Dame basketball game. King Carol reviews Rumanian trops. Kay Stammers weds in England. Lew Lehr. Louis retains title. Lipton regatta.

NEWS OF THE DAY, No. 243—Roosevelt speaks in Washington. Helsinki after air raid. Paderewski with exiled Polish Government in Paris. Tornado hits Albany, Ga. Kay Stammers marries golfer. Carnera bathes baby. Lipton Cup race. Godoy discusses bout. Seabiscuit races again.

PARAMOUNT NEWS, No. 48—Tornado in South. Ski patrols in Finland; Russian prisoners taken; Finn children in air raid drill. Dewey on tour. Paint factory employes inherit business. Ferry off on 9,000-mile voyage. Joe Louis wins fight. Carnera with baby son. N. Y. U. vs. Notre Dame basketball.

RKO PATHE NEWS, No. 60—Roosevelt, John L. Lewis address Youth convention. Tornado takes heavy toll in Georgia town. "Pinocchio" premieres in New York and Hollywood. Lipton Cup race. Paderewski heads National Council of Polish Government in exile. N. Y. U. vs. Notre Dame basketball.

UNIVERSAL NEWSREEL, No. 849—Finns repel Russian attacks. Drop propaganda leaflets in Austria. British patrol planes over North Sea. Daughter of Finn general thanks world for help. Roosevelt denounces Soviet aggression. Louis vs. Godoy bout. Tornado in Georgia. Primo Carnera bathes new son. Lipton boat race. Seabiscuit in comeback race. N. Y. U. vs. Notre Dame basketball.

Schaefer Expected From Coast Shortly

HOLLYWOOD, Feb. 13.—George J. Schaefer, RKO president, expects to conclude his production conferences at the studio and leave for New York by the end of the week.

Schaefer yesterday signed Ronald Colman to co-star with Ginger Rogers in the Sascha Guitry story, "Good Luck," which George Haight will produce.

Laurie Forms Company

TORONTO, Feb. 13.—Following his resignation as assistant general sales manager of Empire-Universal Films, Ltd., Archie J. Laurie has organized Laurie Theatres, Ltd., with offices here. He will operate a booking and general service bureau for theatres throughout the Dominion.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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WATCH THE MOVIE SKY!

Critics HAIL!

Walt Disney's

newest full-length feature in technicolor

Pinocchio

The most enchanting film ever brought to the screen. Will appeal to all types and ages of people. Far superior to anything Disney has ever done. Hurry over to the Center Theatre —pronto! *—Kate Cameron, News*

A compound of imagination and craftsmanship, beauty and eloquence to be found only in great works of art . . . endless succession of humorous incide
. . . sure touch of comic gen
Another Disney masterpiece.
—Howard Barnes, Herald-Tribu

**As brilliant as was his Sno
White . . . Disney's PINOCCH
is twice as inspiring . . . he
accomplished the astonishi
feat of out-Disneying Disn
himself.**
—Rose Pelswick, Journal-Ameri

AND ALL RECORDS GO TUMBLING AT NEW Y

ery bit as fine as we had
yed it would be, if not finer
Superior to Snow White . . .
best thing Disney has done.

—Frank Nugent, Times

**g out the news! . . . Walt
ney has not only matched
has outdistanced Snow
ite. Recommended unre-
vedly for young and old
e. Will leave you amazed
isney's timeless genius.**

Wm. Boehnel, World-Telegram

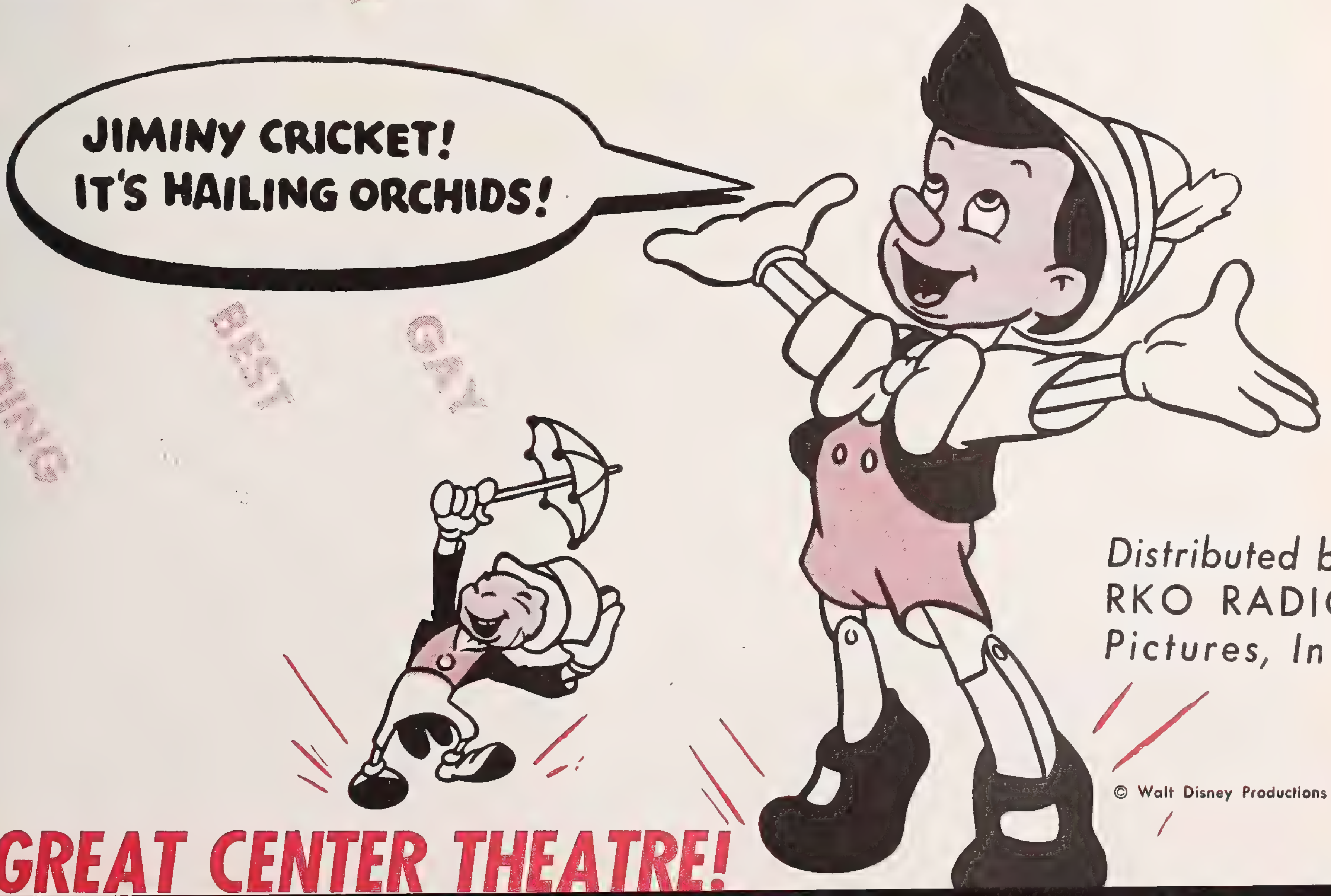
. When you go to see
OCCHIO forget all about
w White . . . it is far superior
s predecessor. You are go-
to leave the theatre singing
its praises. Don't miss it! Really grand and happy stuff!

—Lee Mortimer, Mirror

Absolutely perfect and a work of pure, unadulterated genius. Has a higher percentage of pleasure for adults than anything Disney has ever done. No excuse for not seeing it will be acceptable.

—Archer Winsten, Post

It is hard to think of anyone who wouldn't like to see it twice at least...A screen classic for adults as well as juvenile audiences. This twentieth century still has reason for rejoicing . . . it has Disney! *—Eileen Creelman, Sun*


JIMINY CRICKET! IT'S HAILING ORCHIDS!

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Pictures, Inc.

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'S GREAT CENTER THEATRE!

Court Rebukes U.S. for Trust Action Tactics

(Continued from page 1)

umbia's interrogatories in toto after that company refused to sign the Government's stipulation limiting its queries to the consolidated interrogatories agreed upon with other defendants.

"Columbia is certainly entitled to interrogatories," Judge Goddard said. "The Government is being very arbitrary—setting a May 1 trial date, refusing information and telling others just what information they may have."

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, counsel for Columbia, told the court that Columbia regarded itself as being in an entirely different position in the suit than were theatre-owning companies and that, therefore, answers which the Government agreed to furnish other defendants through the consolidated interrogatories would be of little value to Columbia.

"Very Badly Handled"

"When the Government gets through answering those," Frohlich said, "these other defendants will know less than they do now."

Frohlich expressed a willigness to sit down with the Government attorneys and agree on a separate list of interrogatories for Columbia, but his offer evoked no response from William P. Farnsworth, Government attorney.

"The Government has handled this very badly," the court observed. "I believe in liberality in interrogatories because fullness of information saves time in the long run. If you can sit down without an arbitrary attitude," he said, addressing Farnsworth, "I'm sure this whole question could be disposed of in short order."

"This appears to be an effort to pass the buck to me. You tell your associates," the court counselled the Government attorney, "they can't do that to me."

Farnsworth argued that it would be "burdensome" on the Government to have to answer Columbia's interrogatories separately.

"Suit Is Government's Baby"

"I'm not at all sympathetic," the court responded. "This defendant has rights regardless of your convenience. It may make the very good answer that it is subjected to great trouble and expense in defending itself in an action brought on by the Government, and that this suit is not its own but the Government's baby."

Farnsworth then attempted to argue against Columbia's interrogatories as "improper" on the merits.

"If you want to argue this on the merits, it will take me at least a month to decide it," Judge Goddard said. "That may very well delay the start of trial and if it does it's your fault," the court told the Government lawyer. "It's not my fault if you can't make a better effort to agree and get together."

With Judge Goddard's urging the attorney agreed to attempt to reach an understanding with the Columbia attorneys on a separate set of interrogatories between now and March 1.

Hollywood Review

"Young Tom Edison"

(Metro-Goldwyn-Mayer)

HOLLYWOOD, Feb. 13.—If you've been going along in the common error that Mickey Rooney is just a smart aleck kid who happened to get cast as Andy Hardy and bounced on up into the Number One box office spot willy nilly, look at this picture and discover your error. And if you've been wondering whether there was a good film in the record of the late Thomas A. Edison's boyhood, stop wondering.

To sit through this motion picture in company with an audience is to learn what genuinely solid, all-purpose entertainment really is and to rediscover Master Rooney as an actor of the highest order. It is, likewise, to discover that the boy Edison, as convincingly depicted here, was as full of human nature, courage and frailty, determination and despair, as the man Edison was full of genius.

This is a truly great picture. It is not the biggest ever made, nor the most polished, and it is not a precedent-shattering work in any particular. On the contrary, it is an essentially plain production of a straight story with an appeal as wide as the horizon and as deep as civilization. It is the story of young Tom Edison and his time and that is a very great story, rendered greater, if possible, by the sheer simplicity of its presentation.

"Young Tom Edison" was produced by John W. Considine, Jr., producer of "Boys Town," and it possesses the charm and potency of that film without in any way resembling it. It was directed by Norman Taurog in his most effective manner from a skillfully designed script by Bradbury Foote, Dore Schary and Hugo Butler. Orville O. Dull acted as associate producer and the story material was assembled by H. Alan Dunn. The composite result of these several gentlemen's efforts reflects glory upon all.

The period dealt with is 1861, the place Port Huron, then the home of the great inventor. His boyhood experiences, tragic disappointments, triumphs, the ups and downs which beset his early life, are presented with a maximum of story value, a minimum of glorification, no sermonizing whatever. Fay Bainter plays his mother, George Bancroft his father, Virginia Weidler his sister, all splendidly. Others in the cast are Eugene Pallette, Victor Kilian, Bobby Jordon, J. M. Kerrigan and Clem Bevans.

The film is powerful in its matter-of-factness, plausible in detail and whole, utterly clean and unfailingly interesting from start to finish, a motion picture of the sort the art-industry has prospered by and grown with from its inception. It is completely appropriate for every type of audience and every location.

Running time, 82 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Yates and Grainger Leave for Meetings

Herbert J. Yates, chairman of the board of Republic Pictures, and James R. Grainger, president, leave tonight by plane for regional sales meetings tomorrow in Atlanta, Saturday in Dallas and Monday at the studio.

Yates plans to remain at the studio four weeks, conferring with M. J. Siegel, president of Republic Productions, on current and next season's production.

"Dark Command," Republic's leading film this season, will be given its world premiere late in March in Lawrence, Kan., scene of the story.

Steffes Will Remain In Hospital 6 Weeks

W. A. (Al) Steffes, Minneapolis exhibitor and Allied States official, will be at Providence Hospital, Washington, another six weeks. He was taken to the hospital four weeks ago when he became ill while attending Allied's annual board meeting. H. M. Richey of RKO, who visited him last weekend, reports that Steffes shows improvement but has been unable to acknowledge numerous letters and gifts of flowers from friends.

Cash by Ohio ITO Battles 'Pot o' Gold'

COLUMBUS, Feb. 13.—Members of the I.T.O. of Ohio next Tuesday will inaugurate the giveaway plan designed to counteract the "Pot o' Gold" cash giveaway on NBC.

Exhibitors have pledged $6,000 and will double the amount which any winner who is a theatre patron would have received had he remained home to listen to the radio program.

The exhibitors' giveaway was spurred by the fact that there have been three "Pot o' Gold" winners in Ohio in the last four weeks. Participating theatres will show a trailer advertising this newly-conceived counter-attraction.

Deny Extra $50,000 For Navy Pictures

WASHINGTON, Feb. 13.—Rejecting an appeal by the Bureau of Navigation for an additional $50,000 for the leasing of motion pictures, the House Appropriations Committee today reported the Navy Department supply bill for 1941. It allocated only the usual $85,000 for showing films to enlisted men on fighting ships and at shore stations.

9,000 Houses Support Finn Aid Campaign

(Continued from page 1)

sonnel, the Motion Picture Committee is urging the participating exhibitors to assist in promotional work for the collection days in their individual localities and theatres. Space in the theatres' newspaper advertising and in trailers is suggested as a means of acquainting the public with the purposes of the collections and the uses to which donations will be put.

It was suggested that local Scandinavian groups be enlisted to promote the collections and contribute workers and that mayors be urged to issue proclamations declaring Feb. 17 and 18 as "Motion Picture Help Finland Days."

Finnish Drive Film At Theatres Tomorrow

"Finland Fights!" five-minute short made for the Finnish Relief Fund, Inc., was shown yesterday to Fund officials and the press.

The film will run in theatres starting tomorrow, in connection with the local campaigns and the theatre collections next Saturday and Sunday. Several hundred prints will be supplied without charge.

The short conveys a picture of Finland as a cultured, industrious country fighting for its life against great odds. The theme is emphasized by scenes of the country, of Paavo Nurmi and Taisto Maki, famous runners, in their battle uniforms, of Jan Sibelius, Finnish composer, playing his symphony, "Finlandia." It then shows Minister Procope paying an installment on the Finnish debt to Secretary Morgenthau, and switches to scenes of devastation caused by Russian bombings. Herbert Hoover, chairman of the Fund, then makes an appeal.

The film was produced by Emerson Yorke Studio. Alois Avrilla is the commentator. Vincent G. Hart directed and Harry N. Blair wrote the script.

Bingo Resolution Is Filed at Albany

ALBANY, Feb. 13.—Assemblyman Max Turshen today introduced in the N. Y. State legislature a resolution proposing an amendment to the state constitution, to empower the legislature to authorize the operation of Bingo under religious and charitable auspices.

Preview for Clergy

Time, Inc., producer of "March of Time" reels, will preview the latest release, "The Vatican of Pius XII," at the Waldorf-Astoria for the benefit of prominent members of the Catholic clergy and laity, from 5 to 8 P. M. today. In addition, "Finland" will be screened for members of the Finnish Relief Fund.

Vaudeville Is Resumed

NEW ORLEANS, La., Feb. 13.—Vaudeville has returned to three local houses on a half-and-half policy for the first time in several years. The theatres are the Lafayette and two Joy Hauck houses, Strand and Rio.

Associates Plan Fund for Jobless

An unemployment benefit fund for members will be the next project of the Motion Picture Associates, Jack Ellis, president, told 125 members at the annual installation of officers yesterday at the Hotel Astor.

Ellis said that the organization has 240 members, that despite unprecedented charity demands it has more in its treasury now than ever before. Morris Sanders, another speaker, said that the directors are considering establishing permanent club rooms and a home for needy and retired members.

Harry Hershfield, radio commentator and cartoonist, was master of ceremonies and installing officer. He disclosed that in a few days he will inaugurate in the *Mirror* a column of comment on films and the theatre, and that he would be "a friend of motion pictures."

Emil K. Ellis, brother of Jack Ellis, and several of the installed officers also spoke.

In addition to Ellis, new officers are: vice-president, Moe Streimer; second vice-president, Matty Cahn; treasurer, Sol Trauner; recording secretary, Moe Fraum; financial secretary, Charles Penser; sergeant-at-arms, Abe Blumstein. Trustees are Jack Hattem and Joe J. Lee.

Streimer, as chairman of the board, has named the following as directors: Leo Brecher, Morris Sanders, Dave Levy, William Stein and Jerome Wilson.

Jackter Chairman Of Columbia Drive

Rube Jackter, Columbia assistant sales manager, will serve as chairman of the committee handling the company's annual sales drive, which this year has been designated the Montague Fifteenth Anniversary campaign.

On Jackter's committee are Lou Astor, Lou Weinberg, Max Weisfeldt, Maurice Grad, Henry Kaufman and George Josephs, home office sales executives. The committee will arrange for competitive events and special awards during the drive, which marks the fifteenth anniversary with Columbia of Abe Montague, general sales manager.

Jacob Miller Dies

New Orleans, Feb. 13.—Jacob Miller, for 28 years operator of the Lafayette here, died after a long illness. Miller retired in September, 1939, owing to ill health. His widow, a sister and a brother survive.

15-Year Wait

Samuel Strausberg, president of Interboro Circuit, Inc., bought a site on Myrtle Ave., Brooklyn, about 15 years ago. The anticipated improvement in the area failed to develop, and the property was left untouched.

Now, in view of the Brooklyn Navy Yard District improvement planned by the state, plans have been completed for a 1,200-seat theatre, which will get under way shortly.

RADIO BREVITIES

If there is any doubt about the legality of the "Pot o' Gold" show, it was not indicated yesterday. NBC routinely announced that the show would originate from Washington for one night on April 23. Speculation on the immediate fate of the $1,000 giveaway show pending the Department of Justice investigation was set to rest yesterday when the program went on the air on schedule.

Personalities in the News

Ken Dyke, NBC director of national sales promotion, leaves for a two-week vacation in Miami and Cuba on Friday. . . . John L. Grimes, Wheeling Steel advertising director, and Maury Longfellow, musical director for the Wheeling program, are stopping at the Hotel New Yorker. They are in town for conferences with music publishers. . . . Keith Kiggins, director of the NBC-Blue network, returned to his desk yesterday after a 10-day siege of the flu.

Mitzi Green and Mary Brian will be guests of "Fifth Row Center" over Mutual on Sunday. . . . James R. Angell, NBC educational counseller, will speak twice in Boston Friday. He will discuss "The New Frontiers" before the Boston Chamber of Commerce, and "The Challenge of the Present Crisis" before the English Speaking Union.

WNEW Begins 7th Year

WNEW started its seventh year on the air yesterday at 7 P. M. Studio officials gathered to watch the clock mark the event but there was no other celebration.

Program News

David Loew's "Sound Track" program over WNEW, devoted to Hollywood comment, has acquired a new sponsor, Tayton Co., manufacturers of Hollywood cosmetics. . . . Members of New York's Junior League will start their sixth radio season Friday with a series of dramatizations of "Alice in Wonderland." . . . Roxy Theatre is using spot announcements on WNEW for "Of Mice and Men" which opens there Friday. . . . After an absence of four years, Arthur Tracy, the "Street Singer," returns to the air Sunday at 11 A. M. with a new program under the sponsorship of Fyr-Pro Corp. over WOR.

Urges Amateur Air Shows

"I think it would be a salutary thing if every radio station threw open some of its time every 24 hours for the development of new talent," said former Mayor James Walker yesterday. Walker's new "amateur" program over WHN, starting Feb. 26, will be devoted to the uncovering of talent. All performers will be paid. Novel twist for this type of show is the inclusion of budding news commentators and announcers.

Television Delegates Named

Moving closer toward definite union action in the television field, Actors Equity yesterday appointed Walter N. Greaza its representative on a four-union joint committee. Ruth Richmond, executive secretary of Chorus Equity, was named as the second member. A. F. R. A. and S. A. G. are expected to appoint their delegates later this week.

Won't Give Up Wage Boost, Unions Warn

(Continued from page 1)

pleted the preparation of data on salaries for stars, directors, writers, producers and executives for use in combatting the expected producer assertions that the foreign and domestic markets are failing.

In addition union officials are preparing demands for changes in working conditions which are expected to increase materially the studio financial outlay. Negotiations on working conditions such as plans for rotation of employment, number of men for various shifts and possible reclassification of various types of workers were postponed at the time the wage increase was granted.

'Wrath' Openings Set

In addition to a three-theatre opening in Los Angeles Feb. 28, "The Grapes of Wrath" will have simultaneous openings at the Byrd and State, Richmond, Va., March 1, and the Uptown and Esquire, Kansas City, March 7. The Los Angeles premiere will be at the Four Star Feb. 27. The company has received 120 requests for pre-release dates on the film.

Educational Films Files Bankruptcy

Educational Films Corp. of America, a subsidiary of Educational Pictures, Inc., yesterday filed a voluntary petition in bankruptcy in U. S. District Court. It listed liabilities of $392,876 and assets of an unknown amount.

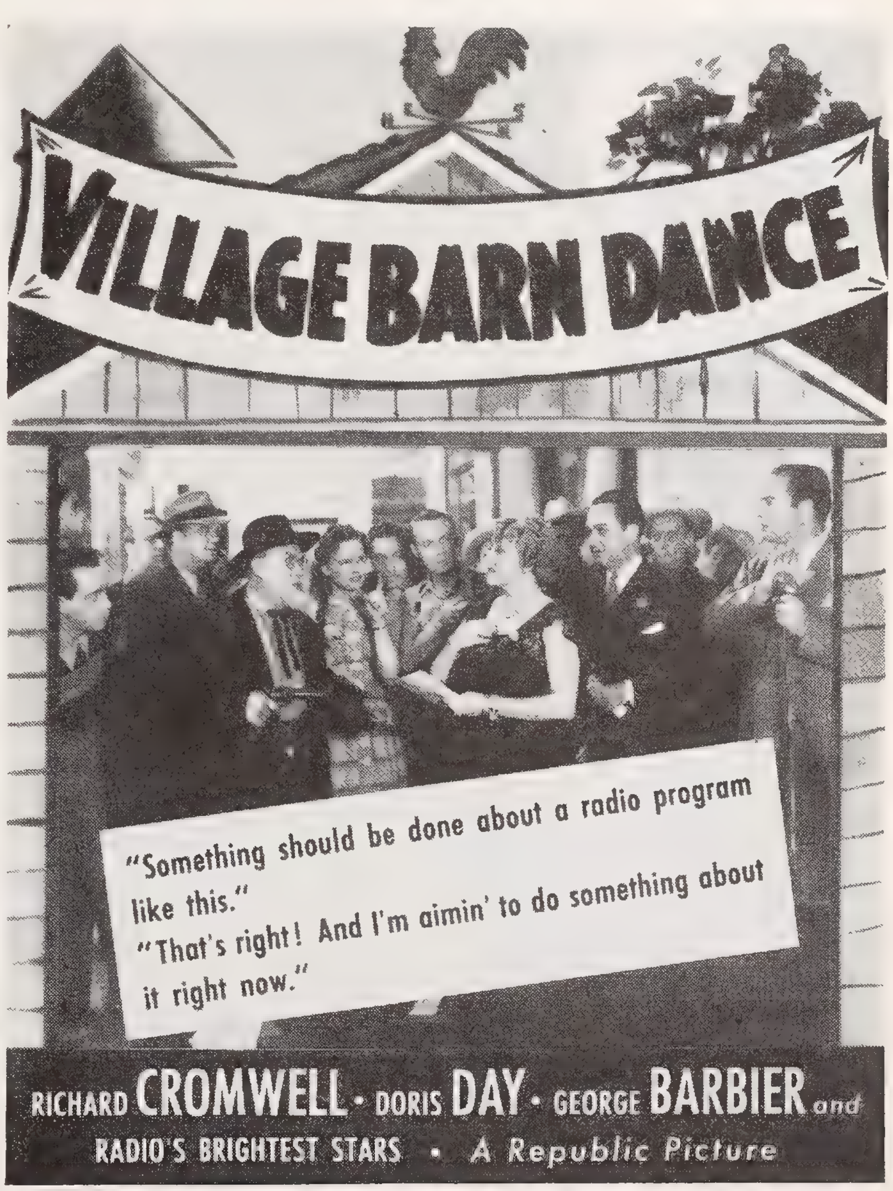
The petition named Erpi as the largest creditor with a secured claim of $211,600. Other secured creditors were Jeremiah D. McGuire with a claim of $20,466, and The National City Bank for $10,000. A suit for $100,000 damages brought by Amanda and George Seibert against the company was set forth as a contingent liability. Tax claims, now in dispute, total $47,349.

Chief assets were set forth as the trademark, "The Spice of the Program," and 16 mm. and substandard rights to films being distributed by eight companies.

Polish Invasion Film Is Halted in Chicago

Chicago, Feb. 13.—Boles Patzkoski, independent exhibitor, was arrested last night by Lieutenant Harry Costello, police censor, for the showing of a 16 mm. film, "The Invasion of Poland by Hitler." Patzkoski, out on bond, will be given a hearing Feb. 15.

The performance, under the sponsorship of the Polish-American Citizens' League, was given without a police film permit. Costello and a squad of officers stopped the performance during the first reel and confiscated the film.



"Something should be done about a radio program like this."
"That's right! And I'm aimin' to do something about it right now."

RICHARD CROMWELL · DORIS DAY · GEORGE BARBIER and RADIO'S BRIGHTEST STARS · A Republic Picture

Research Council Plans Expansion

HOLLYWOOD, Feb. 13. — Research Council of the Academy of Motion Picture Arts and Sciences has been expanded to include the investigation of problems in laboratory processing, photography, cine technology, sound recording and optics.

Darryl F. Zanuck, Council chairman, named chairmen for each of the fields, as follows: John Nickolaus, laboratory; John Arnold, photography; Grover Laube, cine-technical; Loren Ryder, sound, and B. F. Miller, optical.

Nathan Levinson, Warners, was reelected vice-chairman of the Council, and the finance committee included: Zanuck, chairman; Levinson, John Aalberg, RKO; E. H. Hansen, 20th Century-Fox.

Patterson Services In Atlanta Saturday

(*Continued from page* 1)

agent, publicity man and manager, he became manager of the Criterion and Metropolitan in his home city. Later he was successively division manager for Universal Theatres in Atlanta, division manager for Publix Southeast Theatres, director of public relations for Warner Theatres at the home office and in 1936 became assistant to Joseph Bernhard, head of operations.

Freed on Game Charge

INDIANAPOLIS, Feb. 13.—A Municipal Court jury found Orvin J. Moore, manager, and James Kenny, usher, of the Ohio Theatre, not guilty of conducting a lottery on charges brought by police who raided a "Bank-Roll Night" at the house recently.

PROUD WORDS:
"I FLY UNITED"
Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Continental," leave 5:15 pm, and "The Overland Flyer," leave 10:45 pm. Finest meals aloft. Call travel agents, hotels, or
UNITED AIR LINES
58 E. 42nd Street
Phone MU-2-7300

Hollywood Review

"The Farmer's Daughter"

(*Paramount*)

HOLLYWOOD, Feb. 13.—No, this isn't the one about the traveling salesman. It is a story about a Broadway stage producer who rents a barn for summer presentation of a musical comedy hopefully aimed at Broadway and encounters such adventures as the public has been taught to believe commonly afflict producers who take to the "straw hat circuit." Further, it is a most diverting and solidly amusing story, expertly compounded and skillfully acted, a feather in the hat of Associate Producer William C. Thomas.

Producer Thomas' most prolific provider of hearty amusement, in the acting division, is Charlie Ruggles, immensely entertaining as the harassed producer. Ably cooperating to this end is Martha Raye, here given to do those things she knows best how. William Frawley and Jack Norton are similarly effective in lesser footage allowance as press agent and playwright respectively. Richard Denning, Gertrude Michael, Inez Courtney, William Demarest, William Duncan, Ann Shoemaker, Benny Baker and Tom Dugan are among the others in a balanced cast. Frederick Hollander and Frank Loesser supply a "whistleable" song number which Miss Raye sings with her usual wham.

Delmar Daves and Lewis R. Foster, responsible for story and screenplay respectively, gave Thomas and his effective director, James Hogan, prime stuff to work with. Their approach to the subject, which is show business itself and as old and always fresh as that same, is new and alert, their treatment of it unfailingly bright. The film is entirely a project in behalf of audience laughter.

Running time, 60 minutes. "G."*

ROSCOE WILLIAMS

"G" denotes general classification.

Roach to Have Six New Season Films

Details of Hal Roach's new season production schedule for United Artists release will be worked out on the Coast during the current visit there of Maurice Silverstone, United Artists chief executive.

Roach's new season program calls for six productions costing $7,500,000.

Harry Gold, United Artists vice-president and Eastern sales manager, left Florida by plane yesterday for the Coast, where he will confer with Silverstone and Samuel Goldwyn on special sales plans for "The Westerner," Goldwyn's recently completed production with Gary Cooper.

'One Union' Report Delayed by Equity

Acceptance of the report of the joint committee which met on the Coast last week to patch up differences between the Screen Actors Guild, American Federation of Radio Artists and Actors Equity was delayed yesterday by the Equity council. The report dealt with reorganization of Associated Actors and Artistes of America, the parent body, into "one big union." An Equity committee will pass on the report next Tuesday.

Roosevelt Coming East

HOLLYWOOD, Feb. 13.—James Roosevelt will contact exhibitors in Washington, Baltimore and Philadelphia Feb. 23 and 24 in furtherance of his policy of seeking market information at its source.

Cassil Calls Session

KANSAS CITY, Feb. 13.—Frank Cassil, president of the Kansas-Missouri Theatres Association, has called directors' meeting the first week in March to discuss the Neely bill.

Brady Trial March 4

ST. LOUIS, Feb. 13.—State Representative Edward M. Brady, indicted on a charge of extorting $1,000 from motion picture theatre owners in 1937, will go to trial March 4.

British Exhibitors Seek Modified Taxes

LONDON, Feb. 13.—Cinematograph Exhibitors Association decided today to ask the Chancellor of the Exchequer to receive a deputation which will plead for modification of amusement taxes.

A C. E. A. deputation tomorrow again will consult with the Board of Trade on the general film situation, and tomorrow evening the executive council will complete a draft embodying the exhibitor attitude on the quota problem.

Another exhibitor group will join National Association of Theatrical and Kine Employes representatives in a hearing at the Ministry of Labor seeking to have projectionists listed in the reserve occupation class for war service.

It is expected at the taxation hearing that the C. E. A. will ask for exemption on seven-pence tickets with adjustments on the high prices. Exhibitors are expected to point out that the amount they would gain is needed to defray rising overhead and to meet the demand for increased wages.

Smakwitz to Albany

ALBANY, Feb. 13.—Charles A. Smakwitz, Warner Circuit district manager, has returned after conferring in New York on a campaign for "The Magic Bullet." Smakwitz returned with Roy Palmer, first assistant director in the State Tax Department and William O'Reilly, counsel to the Tax Department. O'Reilly was formerly secretary to Lt. Gov. M. William Bray of Utica.

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VS.
ARTURO GODOY
booked by
RKO SCHINE
WARNER CENTURY
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First in Film and Radio News Brief, Accurate and Impartial

V[illegible] 47. NO. 33 NEW YORK, U. S. A., THURSDAY, FEBRUARY 15, 1940 TEN CENTS

MAJORS WIN MORE TRUST REPLY TIME

Storm Ruins Grosses, Hits Broadcasting

Box-Offices Suffer Worst Beating in Months

Yesterday's severe snowstorm had a serious effect upon film and legitimate theatre box-offices and at the same time caused major transmission trouble at practically every broadcasting station in the city.

The freakish rain-snow-hail-sleet storm, the severest of the Winter, was responsible for the worst Broadway gross figures in many months.

The Paramount, where "Sidewalks of London" opened, was the only house which reported a sizeable gross, $8,000 for the day. Dorothy Lamour, Barry Wood and Dick Stabile's band on the stage were given much credit for attracting customers.

Described by engineers as "the greatest radio emergency since the 1938 hurricane," the storm caused major transmission trouble at almost every station in the Metropolitan area. Not since the hurricane which affected transmitters all along the Atlantic Coast have so many radio sta-

(*Continued on page 2*)

Soviet Gets Offers To Handle Product

The Central Film Committee of the Russian Government in Moscow has received several bids from Americans who have offered to continue distribution of Soviet films here.

The offers were cabled after the decision of Amkino Corp. to withdraw as the Russian film distributor for North and South America. While tentative negotiations were started with Amkino, no word has been received from Moscow in reply to the proposals.

Nicola Napoli, Amkino manager, said no provision has been made as yet for the continuance of Russia's purchase of film equipment and supplies in the United States. In the last two years purchases made here have dropped, although considerable amounts of raw stock have been bought from DuPont. Before the outbreak of the European war, Russia transferred much of its buying from America to England and France.

The Amkino office is remaining open until a definite decision is reached, but the company has dissolved.

Guilds To Fight Neely Measure at Hearing

Hollywood, Feb. 14. — The Screen Actors, Directors and Writers Guilds will each send three delegates to Washington next month to oppose the Neely bill when the hearings begin. This action was taken today at a meeting of the Inter Talent Council.

Coast Parley Today Tackles Wage Issue

Hollywood, Feb. 14.—With producers determined to win the rescinding of the 10 per cent wage increase and the studio unions equally pat on their refusal to surrender the boost, it appears certain that tomorrow's meeting between the two groups will fail to settle the dispute.

It is the conviction of observers that the wage increase issue will go to arbitration.

Producers are armed with factual evidence to substantiate their claims that in view of declining foreign and domestic markets it will be impossible for them to continue paying the 10 per cent boost.

Unions are also prepared with statistical reports and charts to disprove the contentions of producers.

Producers granted the wage increase to the studio craft unions last November after the latter threatened to call a nation-wide strike.

Scully Questioned; U.S. Gets 'U' Facts On Sales Methods

Universal Pictures is not at a disadvantage in the sale of its product to theatres affiliated with the major companies though, as a non-theatre owning producer, it cannot reciprocate, William A. Scully, general sales manager of Universal, testified at a pre-trial examination yesterday in the Government's anti-trust suit.

Scully, whose examination was completed after five hours of questioning, is the third industry executive to testify. Harry and Jack Cohn of Columbia were the previous witnesses.

Affiliates of major companies purchase product on its merit alone, Scully explained, and their distributors do not require a similar return in the booking of films. Scully, who stated that he had worked for Metro for many years before taking his position with Universal, declared that the sales methods of Universal were similar to those of Metro.

In this respect, however, he said, Universal product was harder to sell because Metro made a larger number of the better class pictures. Universal does not discriminate against any

(*Continued on page 2*)

U. S. Permits Companies To Stagger Answers To Interrogatories

Defendant companies in the Government's New York anti-trust suit will be given additional time to answer the Government's interrogatories as a result of an agreement reached with Federal attorneys here yesterday.

The companies' answers were to have been served today but under the new arrangement defendants will be permitted to "stagger" their answers, furnishing them to the Government when, as and if the information becomes available.

Under the agreement, the Government also will have the right to serve answers to defendants' interrogatories after March 1, the date on which the Government's answers were to have been due.

Columbia will serve answers to the first 24 questions of the Government's interrogatory today and will answer the remainder over a period of several weeks as the information sought by the Government becomes available.

United Artists may answer some of the Government's queries today but the bulk of its answers will be served over a period of weeks as complete information is obtained.

Other defendants, Paramount,

(*Continued on page 2*)

Majors to Release 40 Films Produced by Independents

Hollywood, Feb. 14.—More than 40 films will have been produced by individuals or corporations other than the regular production staffs of the seven majors by the end of the 1940-'41 season, a survey shows. United Artists is not included.

RKO alone will account for 21 pictures made by eight individual or corporate producers other than those on their own company roster. Metro-Goldwyn-Mayer is currently releasing the Selznick-International "Gone with the Wind," while 20th Century-Fox has been reported in a deal whereby it would distribute pictures made by Howard Hughes.

Paramount plans to release 12 "outside" productions during the season, nine of these being the Harry Sherman group produced at the General Service Studio here. Warners will do likewise with "The Life and Death of John Doe," first of the Capra-Ruskin films produced independently.

Universal will release "The Boys from Syracuse," produced by Jules Levy, in addition to "Green Hell," made by Famous Productions. It has also been reported that Frank Lloyd would produce and direct three pictures for the company.

United Artists, of course, has always adhered to the policy of releasing films made by its producer-partners or certain others, its roster having been considerably expanded during the past year.

Columbia will release three pictures made independently of the studio during the present year.

$7,000,000 Gross Passed by 'Wind'

Theatre receipts on "Gone With the Wind" have already exceeded $7,000,000, according to Howard Dietz, M-G-M advertising and publicity director. On this basis, M-G-M has more than recouped the negative cost of the film, which was close to $4,000,000. At the rental of 70 per cent, the distribution gross to date would be $4,900,000.

The picture is playing at 170 theatres in the United States and Canada, including 14 situations where it opens today. Bookings total 400 in 368 cities.

The picture is in its ninth week at the Capitol and Astor on Broadway, and the end of the run is indefinite. Openings at 30 Loew neighborhood houses in Greater New York are scheduled for March 28 or a day later. Subsequent runs in other cities will start about the same time.

M-G-M's "Northwest Passage" will

(*Continued on page 2*)

Scully Questioned On Sales Methods

(Continued from page 1)

theatres in determining the runs and clearance that they were entitled to, Scully said.

Clearance is determined by a number of considerations such as the location of the house, its general policy and its ability to pay film rentals, he continued. Whether or not a house is affiliated with one of the majors plays no part in its treatment by Universal, Scully declared. Moreover, he said, a subsequent run house can frequently obtain a selective contract extending to it the right to reject a percentage of the season's product.

Scully detailed the houses entitled to first run on Universal product in 36 key cities named by the Government. At the request of Special Assistant Attorney General Robert L. Wright who represented the Government, the witness, besides naming the owners of these houses, identified the officials who represented the theatres in negotiations with Universal.

Wright questioned Scully closely on contracts which award a fifty-fifty split on first run showings in Brooklyn to the RKO Albee and Loew's Metropolitan. Scully refused to concede that these theatres had a working arrangement to split the product, and declared that a contract, customary in the industry, set up a simple formula for division.

Cliff Work, Universal studio head, will be questioned by the Government next Tuesday. Work, who will come here from the Coast this weekend for the examination, has been substituted for Charles R. Rogers, former Universal production head, whom the Government originally designated for questioning. Ned E. Depinet, vice-president in charge of sales of RKO, will testify next Wednesday.

Majors Win More Trust Reply Time

(Continued from page 1)

Loew's, Warners, 20th Century-Fox, Universal and RKO, will serve the first of their answers next week and the balance will be staggered over a period of several weeks. Some of the answers will be confidential; others will be made public.

Conferences between William P. Farnsworth, Government attorney, and Schwartz & Frohlich, counsel for Columbia, to seek an agreement on a separate list of interrogatories to be answered by the Government are scheduled to get under way next week.

The Government's original refusal to answer Columbia's separate queries provoked Federal Judge Henry W. Goddard to term the Government's attitude "very arbitrary" and to order the Federal attorneys to seek an agreement with the company prior to a second hearing before him on March 8.

Louis D. Frohlich, of counsel for Columbia, told the court that he "had been trying for two years to learn from the Government what Columbia is charged with and hasn't received any information yet."

Frohlich also scored the Government's attitude in the case thus far and chided it for assuming an untenable position different from that of any private litigant.

◀ Purely Personal ▶

HARRY GOLDBERG, advertising and publicity director for Warner Theatres, will speak at the annual banquet of the Philadelphia Cinema Club Feb. 20 at McCallister's.

•

Col. John A. Cooper, president of the Motion Picture Distributors of Canada; Mrs. N. L. Nathanson, wife of the Famous Players' president, and Mrs. J. E. Lawson, wife of the film company lawyer, were elected to the executive board of the Red Cross Society in Toronto.

•

Terry Kilburn, young RKO player, is on a personal appearance tour of 14 key cities in the East, Midwest and Southwest. He is accompanied by his mother, his tutor, Fletcher Clark, and Charles Levy, RKO publicity representative.

•

Rosalee McKenna has resigned as billing stenographer at the Republic exchange in Oklahoma City. Erma Cantrell, formerly of the Griffith Amusement Co., succeeds Miss McKenna.

•

The Dennis Sisters, harmony trio, will appear with Ted Lewis next week at Loew's State. They were formerly seen on Broadway as dancers.

•

Dave Weshner, zone manager for the Warner circuit in Philadelphia, and Mrs. Weshner have left for a Florida vacation.

•

Donovan Hall has resigned as director of advertising and publicity for Ross Federal Research Corp., after two years with the company.

•

J. M. Franklin, head of the Franklin & Herschorn circuit of St. John, N.B., has left for Miami Beach with Mrs. Franklin.

•

James Gillespie is doing special publicity and exploitation in Pennsylvania, New Jersey and West Virginia on new RKO product.

•

Ben Miggins, 20th Century-Fox manager for Continental Europe, now visiting in America, has left for Florida.

•

William Powers and Harry Cox of National Theatres have returned from Coast meetings.

•

Gracie Fields and June Duprez, film players, arrive today on the *Rex*. Alexander Korda is also arriving.

•

F. J. A. McCarthy, Eastern sales manager for Universal, has returned after a week in Nashville, Tenn.

•

L. W. Conrow, president of Altec Service Corp., is vacationing in Florida.

•

Mrs. Abe Fishman of New Haven will join her husband at Miami Beach shortly.

•

Gilbert Josephson of the World Theatre was host to the press at Champlain's restaurant yesterday.

•

Jack Hattem of Interboro Circuit and Sol Trauner of Columbia will leave for Miami over the weekend.

•

Charles Moses, circuit operator, is in Florida.

W. A. SCULLY, Universal general sales manager, will leave for Florida tomorrow for a vacation of three or four weeks. Nate J. Blumberg, Universal president, who is now vacationing in Florida, is expected back in about 10 days.

•

Sir William Wiseman, Leif Erikson, Sam Citron, Budd Rogers, Joshua Logan, Jack Haley, Arthur Kelly, William German, Robert Savini, Sam Lyons and E. B. Hatrick lunching at Bob Goldstein's Tavern yesterday.

•

Joseph Mankiewicz and his wife planed out from Hollywood last night for New Orleans. From there they will go to New York for a three-week vacation.

•

William Brandt, George Skouras, Ed Saunders, Max Dreyfus and Max A. Cohen at Nick's Hunting Room in the Astor for lunch yesterday.

•

Stanley Hand, Altec's staff representative, is back in New York after a business trip to Louisville, Cincinnati, Chicago, Minneapolis and Detroit.

•

Al Farraro, former New York film salesman, is operating the Sunshine Villa, Hunter, N. Y.

•

Barney Klied, National Theatre Supply salesman, leaves for Miami tomorrow.

•

George Skouras is back from the Coast.

•

Edward G. Robinson left for the Coast last night.

•

Lionel Toll of the Brandt office left for Florida yesterday.

•

William Sirica of the Lido, Waterbury, Conn., is vacationing in Miami.

$7,000,000 Gross Passed by 'Wind'

(Continued from page 1)

follow "Gone With the Wind" at the Capitol and "Strange Cargo" is also scheduled for that house.

Meantime, M-G-M is booking current releases into Radio City Music Hall and the Criterion. "I Take This Woman" starts at the Music Hall today and "Broadway Melody" will play there in a few weeks. "Young Tom Edison" will also play at the Music Hall if "Gone With the Wind" is extended. The Criterion will play "The Man from Dakota."

Kohlmar Promoted

Hollywood, Feb. 14.—Further realigning his production staff, Darryl F. Zanuck today made Fred Kohlmar, production assistant, an associate producer. Kohlmar was formerly a writer for Samuel Goldwyn and recently a producer at Columbia.

Bischoff to Columbia

Hollywood, Feb. 14.—Sam Bischoff, former producer at Warners, joins Columbia Monday as a producer. His first assignment will be "Singapore."

Storm Ruins Grosses, Hits Broadcasting

(Continued from page 1)

tions here been crippled at the same time.

Hardest hit was WOV, which went off the air at 8:40 A.M. and [illegible] not resume broadcasting until 4:12 P.M. Power failures were the cause of the transmission trouble. Power lines were weighted with sleet and snow and sagged under the load, causing temporary stoppages.

The WJZ transmitter at Bound Brook lost its power supply 15 times starting at 7:42 A. M. Interruptions ranged from five seconds to 25 minutes.

Other major stations weathered the storm in better fashion. WEAF switched to an emergency transmitter and remained on the air throughout while WOR and WABC were off the air for a few seconds around noon. WHN and WNYC were also able to maintain full schedules. WMCA was off for 45 seconds.

WINS went off the air at 2:25 P.M. and remained off for a considerable period. Interruptions at WNEW were slight, but engineers were kept busy trying to avoid a failure on the cooling system for the transmitter.

Cameo Film Loses

Injunction restraining the N. Y. State Board of Regents from interfering with the exhibition of the film, "Life on the Hortobagy" in the Cameo Theatre was denied yesterday by N. Y. Supreme Court Justice Levy. Levrad Amusement Co., Inc., and Jack Haupt, plaintiffs, had claimed that the film was a newsreel and did not require a license from the State. Justice Levy, after seeing the film, ruled that it was not a newsreel, and therefore cannot be exhibited any further without a license.

Reorganization Ends

French Motion Picture Corp. was discharged from reorganization proceedings yesterday in an order signed by Federal Judge Bondy. The order recited that the company had fully consummated its plan of reorganization by payment of 15 per cent of its debts to creditors. The plan had been confirmed in October, 1939.

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DAILY
(Registered U. S. Patent Office)

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Short Subject Reviews

"Mechanix Illustrated No. 3"

(*Warners*)

A routine subject presents interesting items, including a new chemical substance which is a substitute for silk; cold light which eliminates heat; the design of elaborate electric signs, and the salmon fishing industry in Alaska. Running time, 10 mins.

"Dave Apollon and His Orchestra"

(*Warners*)

Dave Apollon is ingratiating as an orchestra leader and master of ceremonies as the band plays several snappy tunes. There are also Ruth Petty, singer, and Gloria Rich, dancer, while Hank Norton provides the comedy. Running time, 10 mins.

"Vyvyan Donner's Fashion Forecast"

(*20th Century-Fox*)

This series has intrenched itself firmly. The current issue maintains the high standard set by its predecessors. "For Play Hours" is the theme of the latest reel and sports clothes for beach and snow are shown on lovely models. In addition, there are several models wearing the latest in dance gowns. Ilka Chase, who does the commentary, is as witty as ever and the color shots are highlighted by a table heaped with smorgasbord. An attractive item for both men and women patrons. Running time, 10 mins.

Corporation Formed For Television Films

Television Film Industries Corp. has been formed to produce and distribute films for television broadcasts and engage in the television field generally.

George H. Cole is president and treasurer; Walter Lynch of Mecca Film Laboratories and formerly for several years with Pathe Exchange, is vice-president in charge of operations; A. G. Berg, formerly with the RCA sales department, vice-president in charge of sales, and Pauline Wolff is secretary. Wally Van is in charge of the talent department.

Quits Columbia Post

HOLLYWOOD, Feb. 14.—Mendel Silberberg, member of the producers labor committee, has resigned his post as advisor and assistant to Harry Cohn at Columbia to devote more time to his law firm, Mitchell, Silberberg, Roth & Knupp. He had held the position for the past two and a half years. Silberberg will continue as legal adviser for the company's studio, however.

Warners Change Title

HOLLYWOOD, Feb. 14. — "Till We Meet Again" has been set by Warners as the release title of the film known as "We Shall Meet Again."

Theatre, Personnel Notes

Fox Shifts Managers

DENVER, Feb. 14.—Clyde Anderson has quit as manager of the Oriental here to become manager of the Rio at Helena, Mont., a Fox house. Ted Kirkmyer, who has been city manager at Helena, will devote his full time to the Marlow there. Herbert Thornbrough, manager of the Egyptian, gets the Oriental post, while Si Gertz returns to the Civic Theatres Co. as manager of the Egyptian, as well as editor of the *Civic News* their publicity outlet.

Photophone Closes Deals

RCA Photophone projection equipment is to be installed at Paramount's screening room in Washington under a contract closed by the Paramount home office. Theatres in which RCA will install sound equipment include the Upper Mall, Cleveland; Loyal, Detroit; Ritz, Shreveport, La.; New, Tahlequah, Okla., and the Keith's, Baltimore.

Acquire Two in Illinois

HARRISBURG, Ill., Feb. 14.—Steve Farrar and Oscar L. Turner have acquired the Gem and Joy in Chester, Ill., from Walter Light, bringing the total of theatres in their circuit to 20. Oscar L. Turner, Jr., will be in charge of the Chester houses. The circuit also is planning the erection here of a new 1,200-seat house.

Refurnish Three Theatres

KANSAS CITY, Feb. 14.—Three Fox Midwest theatres are being refurnished: William Souttar's Kennedy at Kirksville, Mo.; Chub Golladay's Grand at Moberly, Mo., and Ray McLain's Strand at Emporia, Kan. The Plaza here has been reseated.

Cincinnati House Under Way

CINCINNATI, Feb. 14.—Contract for construction of the 700-seat Times, to be built on the site of the old *Times-Star* building by Gifts, Inc., headed by Ike Libson and associates, has been awarded to Frank Messer and Sons, local contractors.

Reopens Carolina Theatre

CHARLOTTE, N. C., Feb. 14.—Roy Chapman, manager, has reopened the Carolina at Lumberton, N. C. A total of $12,000 has been spent in modernizing the building.

'Passage' to Have Premiere Tuesday

M-G-M will hold the world premiere of "Northwest Passage" at the Pinney Theatre, Boise, Idaho, next Tuesday. A celebration will be held, with a parade in the afternoon.

Ilona Massey, Isabel Jewell, Truman Bradley and other players, as well as studio representatives, will attend the opening. Gov. C. A. Bottolfsen of Idaho has proclaimed the week preceding "Northwest Passage Days" and has appointed a celebration committee of city and state officials and others, with Sen. Carl Brown as chairman.

Union Pacific Railroad will run special trains within 100-mile radius of Boise for the premiere, which will be broadcast over NBC's Western network. Some of scenes in the picture were made near Boise.

Two Bronx Theatres Closed

Max A. Cohen has closed his Devon, 600-seat theatre at 241 E. Tremont Ave., Bronx. Also closed in that borough is the Ritz at 1014 E. 180th St.

Fosse to Build House

LA PORTE CITY, Iowa, Feb. 14.—Marvin Fosse, owner of the Pastime, has bought a building which he plans to remodel into a modern theatre seating 350 seats.

Open in Effingham, Ill.

EFFINGHAM, Ill., Feb. 14.—The Heart Theatre has been opened here. It seats 750 and is managed by Russell Hogue for the Frisina theatre circuit. Cost was $60,000.

Manages in St. Mary's, Pa.

ST. MARY'S, Pa., Feb. 14.—J. R. Jackson has been named manager of the Harris here. He formerly managed a house in Freedom, Pa.

Reopens in Maquoketa, Ia.

MAQUOKETA, Iowa, Feb. 14.—S. R. Peake, recently reopened the Pastime after remodeling and enlarging it from 400 to 700 seats.

Open Michigan House

THREE OAKS, Mich., Feb. 14.—The Lee has opened here. Mr. and Mrs. Frank Lee are the owners and managers.

Allied in Connecticut Has 90% Enrollment

NEW HAVEN, Feb. 14.—Allied's membership campaign in Connecticut has lined up 90 per cent of the independent exhibitors in the state, E. Thornton Kelly, field secretary, reported at a meeting of Allied of Connecticut here this week.

Frank C. Lydon, national regional vice-president, and Arthur K. Howard, business manager of New England Allied, were guest speakers.

A new grievance committee was appointed to seek to conciliate grievances of members and non-members. The committee includes Joseph F. Reed, William Hoyt and Jack Schwartz. A legislative committee appointed consists of A. L. Pickus, Leo Bonoff, Harry L. Lavietes, Martin H. Keleher, Ralph Pasho and Lawrence C. Caplan. The next meeting will be held Feb. 27.

Hear Ed Sullivan Plea

Appeal by the News Syndicate Co., Inc., publisher of New York *Daily News* and Ed Sullivan from an order denying dismissal of a $1,000,000 libel suit of Walter Wanger and Walter Wanger Productions, Inc., was heard yesterday by the Appellate Division of the N. Y. Supreme Court. Suit claims that Sullivan in his column implied that Wanger produced inferior pictures.

Rob Providence House

PROVIDENCE, Feb. 14. — Receipts totaling $300 were stolen from the safe of the Uptown Theatre here. The small safe in the theatre office had been ripped open, Dominic Annotti, owner of the house, reported to the police.

'Wind' Heads Denver Films With $36,000

DENVER, Feb. 14.—"Gone With the Wind" finished the second week with as good a gross as the first. It drew $36,000 at the Orpheum.

Estimated takings for the week ending Feb. 7:

"His Girl Friday" (Col.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)

"Destry Rides Again" (Univ.)
BROADWAY—(1,040) (25c-40) 7 days, 4th week. Gross: $2,000. (Average, $2,500)

"Remember the Night" (Para.)
DENHAM—(1,750) (25c-35c-40c) 10 days. Gross: $2,800.

"The Light That Failed" (Para.)
DENHAM—(1,750) (25c-35c-40c) 4 days to start run. Gross: $5,800. (Average for week, $6,500)

"The Fighting 69th" (W. B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Norvel, astrologist, on stage. Gross: $12,000. (Average, $9,000)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week. Gross: $36,000. (Average, $9,000)

"The Amazing Mr. Williams" (Col.)
"Oh, Johnny, How You Can Love" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)

"The Fatal Hour" (Mono.)
"Gentleman From Arizona" (Mono.)
RIALTO—(878) (25c-40c) 7 days. Gross: $1,750. (Average, $1,150)

'Wind' Kansas City Best with $40,000

KANSAS CITY, Feb. 14. — With warmer weather, "Gone With the Wind" strengthened in its second week and took $40,000 at Loew's Midland. "Little Old New York" took $6,300 at the Esquire and Uptown.

Estimated takings for the week ending Feb. 6-8:

"Little Old New York" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,700. (Average, $2,500)

"Gone With the Wind" (M-G-M)
MIDLAND—(4,000) (75c-$1.12) 7 days, 2nd week. Gross: $40,000.

"Remember the Night" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $7,800. (Average, $7,000)

"Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
ORPHEUM—(1,500) (25c-40c) 7 days, 2nd week. Gross: $3,100. (Average, $5,000)

"Days of Jesse James" (Rep.)
TOWER—(2,200) (25c) 7 days. Stage: Kidoodlers, with Danny & Eddie, and the Smileys. Gross: $6,000. (Average, $6,000)

"Little Old New York" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $3,600. (Average, $3,500)

Writ Against 'Wind' Requested in South

BIRMINGHAM, Feb. 14.—Petition for an injunction to restrain the Ritz Theatre here from showing "Gone With the Wind" has been filed in U. S. District Court by Ann R. Davis of Montgomery, administrator of the estate of Susan Lawrence Davis, who died last year. The film started a run at the Ritz Jan. 31.

The petition claims that copyrighted material in "An Authentic History of the Ku Klux Klan—1865-1877," written by Susan Davis and published in 1924, was used without authorization in the film, and asks that showing be stopped.

Oppose Neely Bill

WILMINGTON, Del., Feb. 14.—The Central Labor Union here went on record as opposing the Neely bill.

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TO PRO

Now the Same Show

Makes possible its Sma

"Brilliantly conceived, superbly produced and masterfully acted, this film should take rank as one of the finest pictures of this or any year! Exhibitors and the public alike will long remember this picture. Completely absorbing drama at its best; it should completely grip any audience from beginning to end; Edward G. Robinson gives what many will term the finest performance of his career; and it adds new laurels to the Warner Bros.' standard, as well as representing a great achievement for everybody connected with the picture. No audience can fail to be stirred and thrilled!" ***Film Daily***

"Attains epochal proportions! Edward G. Robinson's delineation of the German scientist is undoubtedly his crowning achievement!" ***Boxoffice***

"In the exceptional array of fine pictures which have been presented to Hollywood preview audiences during the past few weeks, 'Dr. Ehrlich's Magic Bullet' moves immediately into the farthest forerank as one of the greatest. It is a magnificent picture, completely absorbing, tense, exciting drama, with a production which is well-nigh flawless. Picture unquestionably marks the turning point in the

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career of Edward G. Robinson, who gives a performance so superb that it ranks with the finest in history. This is William Dieterle's finest directorial effort to date, one which must be reckoned with when the 1940 Academy awards are considered."

Hollywood Reporter

"Fine acting, superb direction, remarkable story telling and a plus quantity of inspiration. 'Dr. Ehrlich' will hold audiences spellbound!" ***Daily Variety***

"One of the greatest motion pictures in the whole history of the screen! A stirring drama of vast popular appeal! It is a film every theatre should be proud to play!" ***Film Bulletin***

"A motion picture with all the attributes to make it one of 1940's most auspicious screen triumphs. It is a production that places Edward G. Robinson in the niche with other truly great actors!"

Showmen's Trade Review

"There is no question that it is splendid entertainment! Everything that he has done in the past must be forgotten, so perfectly has Robinson become the scientist, Ehrlich." ***Motion Picture Daily***

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 19	His Girl Friday (A-C) *Cary Grant*	Congo Maisie (A-D) *Ann Sothern John Carroll*	Hidden Enemy (D) *Warren Hull*	Remember the Night (G-D) *Stanwyck MacMurray*		Married and in Love (G-D) *Alan Marshall*	He Married His Wife (A-C) *McCrea-Kelly*	Lion Has Wings (G-D) *Oberon-Richardson*	West of Carson City (O) *Johnny Brown*	British Intelligence (D) *Karloff-Lindsay*
Jan. 26	The Lone Wolf Strikes (G-D) *Warren William*	Lambeth Walk (C) *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Wolf of New York (D) *Edmund Lowe*	Saint's Double Trouble (G-D) *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell (G-D) *Joan Bennett Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier (O) Convicted Women (D)	I Take This Woman (G-D) *La Marr-Tracy*	Chasing Trouble (G-D) *Frankie Darro*	Parole Fixer (G-D) *William Henry*	Village Barn Dance (G-M) *Cromwell*	The Marines Fly High (D) *Dix-Ball*	The Man Who Wouldn't Talk (D) *Lloyd Nolan*		Danger on Wheels (D) *Arlen-Devine*	Calling Philo Vance (G-D) *Stephenson*
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (G-M) *Astaire-Powell*	East Side Kids (D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (A-D) *Lombard-Aherne*	Little Old New York (G-D) *Faye-MacMurray*		My Little Chicadee (A-C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (D) *Del Rio-Beery*	Cheyenne Kid (G-O) *Jack Randall*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (G-D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore Johnnie Downs*	
Mar. 1	Blondie on a Budget (C) *Arthur Lake*	Strange Cargo (D) *Clark Gable Joan Crawford*	Rhythm of Rio Grande (G-O) *Tex Ritter*	Seventeen (D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Earthbound (D) *Baxter-Leeds*	House Across the Bay (D) *Joan Bennett George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (D) *Bela Lugosi*	Showdown (O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (D) *Gargan-Ford*		Rebecca (D) *Olivier Joan Fontaine*	Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (D) *Drew-Paige*	Forgotten Girls (D) *Donald Woods*	Millionaire Playboy (C) *Joe Penner*	Chan in Panama (G-D) *Sidney Toler*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*	Florian (D) *Robert Young*		Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (O) *Gene Autry*	Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29		Dr. Kildare's Girl (D) *Lew Ayres L. Barrymore*	Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*		Irene (M) *Anna Neagle Ray Milland*	Free, Blonde and 21 (C) *Bari-Davis*	Over the Moon (D) *Merle Oberon*		
Apr. 5	Blazing Six Shooters (O) *Starrett*		Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*		Courageous Dr. Christian (D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	1,000,000 B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	

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Seattle Gives 'Wind' Heavy Lead, $31,000

SEATTLE, Feb. 14.—"Gone With the Wind" led at the Fifth Avenue with a smash $31,000 in the second week. The weather was rainy but mild.

Estimated takings for the week ending Feb. 9:

"Green Hell" (Univ.)
"High School" (20th-Fox)
BLUE MOUSE — (950) (25c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Gone With the Wind" (M-G-M)
FIFTH AVENUE—(2,500) (75c-$1.15-$1.50) 7 days, 2nd week. Gross: $31,000. (Average, $7,000)
"His Girl Friday" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days. Gross: $8,100. (Average, $5,000)
"Of Mice and Men" (U. A.)
MUSIC BOX—(950) (25c-40c-55c) 7 days. Gross: $5,000. (Average, $4,000)
"The Invisible Man Returns" (Univ.)
"Congo Maisie" (M-G-M)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,300. (Average, $6,000)
"The Fighting 69th" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days, 2nd week. Vaudeville headed by Texas Jim Lewis. Gross: $5,000. (Average, $5,000)
"The Little Shop Around the Corner" (M-G-M)
"The Man Who Wouldn't Talk" (20th-Fox)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,200. (Average, $6,000)

'Wind' Holds Fast Pace in Milwaukee

MILWAUKEE, Feb. 14.—"Gone With the Wind" continued to set the pace, grossing $26,800 in its second week at Fox's Palace. Only other house to better average was the Warner, where "The Fighting 69th" and "Mexican Spitfire" drew $5,000 in its second week.

Estimated takings for the week ending Feb. 8:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $26,800. (Average, $4,000)
"Mutiny in the Big House" (Mono.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Vaudeville. Gross: $6,500. (Average, $6,500)
"Swanee River" (20th-Fox)
"Geronimo" (Para.)
STRAND—(1,400) (25c-35c-50c) 7 days, 2nd week. Gross: $1,200. (Average, $1,500)
"The Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
WARNER—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $4,500)
"The Shop Around the Corner" (M-G-M)
"He Married His Wife" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $5,500. (Average, $5,500)

'Wind' with $19,000 New Haven Winner

NEW HAVEN, Feb. 14. — Second week of "Gone With the Wind" at the College drew $19,000.

Estimated takings for the week ending Feb. 9:

"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $19,000. (Average, $2,700)
"Little Old New York" (20th-Fox)
"Meet Dr. Christian" (RKO)
LOEW-POLI—(3,040) (35c-50c) 6 days. Gross: $6,000. (Average, $8,000)
"The Shop Around the Corner" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
LOEW-POLI-BIJOU — (1,482) (35c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"Remember the Night" (Para.)
"Law of the Pampas" (Para.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $4,800. (Average, $4,000)
"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $5,500. (Average, $5,000)

Hollywood Review

"The Marines Fly High"

(RKO)

HOLLYWOOD, Feb. 14.—A service action melodrama of familiar stripe, RKO's "The Marines Fly High" presents Richard Dix and Chester Morris in a "Flagg"-"Quirt" combination. Lucille Ball and Steffi Duna supply the romantic interests.

Dix and Morris are lieutenants of the United States Marines, engaged in training soldiers of an unidentified Central American country and in putting down an incipient rebellion against the government led by a bandit chief. Vying for the love of a wealthy American ranch owner, their rivalry is forgotten in the climax as they defeat the rebels.

The late George Nicholls, Jr., and Ben Stoloff share screen credit for the direction of the screenplay of Jerry Cady and Lieut. Commander A. J. Bolton, who adapted a story by A. C. Edington. Robert Sisk was the producer.

Running time, 67 minutes. "G."* VANCE KING

"G" denotes general classification.

$70,000 for 'Wind' Is Detroit Leader

DETROIT, Feb. 14.—"Gone With the Wind" played to capacity in its second week, equalling the $70,000 take of last week. The United Artists took in $40,000 and the Wilson $30,000.

Estimated takings for the week ending Feb. 8:

"The Blue Bird" (20th-Fox)
ADAMS—(1,600) (55c-$1.65) 7 days. Gross: $17,500. (Average, $5,000)
"Ninotchka" (M-G-M)
"They Shall Have Music" (U. A.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"The Hunchback of Notre Dame" (RKO)
FOX—(5,000) (20c-55c) 7 days, 2nd week. Gross: $15,000. (Average, $15,000)
"Remember the Night" (Para.)
"Raffles" (U. A.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $11,000. (Average, $12,000)
"The Fighting 69th" (W. B.)
"Death of a Champion" (Para.)
PALMS—(2,000) (15c-50c) 7 days. Gross: $7,000. (Average. $7,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $40,000. (Average, $10,000)
"Gone with the Wind" (M-G-M)
WILSON—(1,912) ($1.10-$1.50) 7 days, 2nd week. Gross: $30,000.

'Wind' Holds High Spot in Cleveland

CLEVELAND, Feb. 14.—"Gone With the Wind" drew $29,000 in its second week at Loew's Stillman. "The Fighting 69th" drew $13,500 at Warners' Hippodrome.

Estimated grosses for the week ending Feb. 8:

"His Girl Friday" (Col.)
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)
"The Fighting 69th" (W.B.)
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $13,500. (Average, $11,000)
"Brother Rat and a Baby" (W.B.)
RKO PALACE — (3,100) (30c-42c-55c) Johnny Davis and orchestra on stage. 7 days. Gross: $13,000. (Average, $14,000)
"Congo Maisie" (M-G-M)
LOEW'S PARK—(3,800) (20c-35c) 7 days. Gross: $3,500. (Average, $3,000)
"The Shop Around the Corner" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $10,000. (Average, $11,000)
"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (75c-$1.13) 7 days, 2nd week. Gross: $29,000. (Average at 30c-35c-42c, $4,000)

Critics Pick 'Heights'

HOLLYWOOD, Feb. 14.—Samuel Goldwyn's "Wuthering Heights" has been chosen as the best English language picture of 1939 by film critics of South America, his office announced.

'Wind' at $45,500 Leads Providence

PROVIDENCE, Feb. 14.—"Gone With the Wind," in its second week at Loew's State, took $45,500, passing the first week's take by $3,000. "The Fighting 69th" and "Danger on Wheels" at the Majestic netted $13,000.

Estimated takings for the week ending Feb. 6-8:

"Congo Maisie" (M-G-M)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Stage show starring Martha Raye, featuring Senor Wences, Gracella Dancers, Jack Williams, the Lazanders and Ed Drew's orchestra. Gross: $14,000. (Average, $6,000)
"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (75c-$1.10-$1.65) 7 days, 2nd week. Gross: $45,500. (Average, $11,000)
"The Fighting 69th" (W. B.)
"Danger On Wheels" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $13,000. (Average, $7,000)
"Music In My Heart" (Col.) (4 days)
"Cafe Hostess" (Para.) (4 days)
"The Light That Failed" (Para.) (3 days)
"Jeepers, Creepers" (Rep.) (3 days)
STRAND—(2,200) (25c-35c-50c) 1st run. Gross: $7,200. (Average, $6,000)
"Charlie McCarthy, Detective" (Univ.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Fred Lightner and Rosella; Jean Bedini; Emil and Evelyn; the Six Vikings; and Bee, Hive and Honey. Gross: $6,000. (Average, $6,500)
"Invisible Stripes" (W. B.)
"The Gentleman from Arizona" (Mono.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,200. (Average, $3,500)
"Gulliver's Travels" (Para.) (4 days)
"The Amazing Mr. Williams" (Col.) (4 days)
"Swanee River" (20th-Fox) (3 days)
"Judge Hardy and Son" (M-G-M) (3 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,525. (Average, $1,700)

'Wind' with $21,500 Oklahoma City Lead

OKLAHOMA CITY, Feb. 14.—Despite wet and freezing weather, "Gone With the Wind," in its second week at the Midwest, drew $21,500.

Estimated takings for the week ending Feb. 8:

"Swanee River" (20th-Fox)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,600. (Average, $4,500)
"Flying Deuces" (RKO)
"Two Thoroughbreds" (RKO)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,500. (Average, $2,400)
"Gone With the Wind" (M-G-M)
MIDWEST—(1,500) (75c-$1.12) 7 days, 2nd week. Gross: $21,500. (Average, $4,000)
"Charley McCarthy, Detective" (Univ.)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,300. (Average, $1,100)
"His Girl Friday" (Univ.)
STATE—(1,100) (20c-25c-40c) 3rd week. Gross: $2,200. (Average, $3,000)
"The Shop Around the Corner" (M-G-M)
TOWER — (1,000) (25c-35c-40c) 6 days. Gross: $1,500. (Average, $1,750)

'Wind' Hub's High Gross With $20,000

BOSTON, Feb. 14.—"Gone With the Wind," playing its seventh week at Loew's Orpheum, grossed $20,000. Keith Memorial scored with "Green Hell" and "Charlie McCarthy, Detective," grossing $18,500.

Estimated takings for the week ending Feb. 7:

"Inspector Hornleigh" (20th-Fox) (4 days)
"Thoroughbreds" (RKO) (4 days)
"Destry Rides Again" (Univ.) (3 days)
"Laugh It Off" (Univ.) (3 days)
KEITH BOSTON — (3,200) (25c-35c-40c). Gross: $8,200. (Average, $8,500)
"Green Hell" (Univ.)
"Charlie McCarthy, Detective" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $18,500. (Average, $14,500)
"Geronimo" (Para.)
"Night of Nights" (Para.)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
"Geronimo" (Para.)
"Night of Nights" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"The Fighting 69th" (W. B.)
"High School" (20th-Fox)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,500. (Average, $14,500)
"Ninotchka" (M-G-M)
"The Secret of Dr. Kildare" (M-G-M)
SCOLLAY — (2,500) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $4,000)
"The Shop Around the Corner" (M-G-M)
"Congo Maisie" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $13,800. (Average, $11,000)
"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (75c-$1.10-$1.50) 7 days, 7th week. Gross: $20,000. Average, $14,500)

Indianapolis Hands 'Wind' Big $42,000

INDIANAPOLIS, Feb. 14. — "Gone With the Wind" in the second week at Loew's drew $42,000. All grosses were in the black, despite powerful competition from Sonja Henie's Hollywood Ice Revue.

Estimated takings for the week ending Feb. 9:

"The Fighting 69th" (W. B.)
"The Man Who Wouldn't Talk" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $2,500)
"The Invisible Man Returns" (Univ.)
"Charlie McCarthy, Detective" (Univ.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $7,500. (Average, $6,000)
"The Light That Failed" (Para.)
"Oh, Johnny, How You Can Love" (Univ.)
INDIANA — (3,200) (25c-40c) 7 days. Gross: $6,400. (Average, $5,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.10) 7 days, 2nd week. Gross: $42,000. (Average, $7,000)
"My Son Is Guilty" (Col.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Tommy Dorsey and orchestra plus show. Gross: $11,000. (Average, $8,000)

'Wind' Pulls Strong $16,500 Omaha Lead

OMAHA, Feb. 14.—"Gone With the Wind" was good for $16,500 at the Paramount in the second week.

Estimated takings for the week ending Feb. 7-8:

"Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $3,700. (Average, $4,000)
"Child Is Born" (W. B.)
"British Intelligence" (W. B.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $5,600. (Average, $6,000)
"Four Feathers" (U. A.)
"High School" (20th-Fox)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,100. (Average, $7,600)
"Gone With the Wind" (M-G-M)
Paramount—(3,000) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $16,500. (Average $16,500)

'Wind' Takes Big $62,000 In Twin Cities

MINNEAPOLIS, Feb. 14. — "Gone With the Wind" took $62,000 in the "Twin Cities." At the Orpheum in Minneapolis it drew $35,000, at the St. Paul Orpheum, $27,000.

Estimated takings for the week ending Feb. 8:

Minneapolis:

"Legion of the Lawless" (RKO)
"Escape to Paradise" (RKO)
"Cafe Hostess" (Col.)
"City of Chance" (20th-Fox)
ASTER—(900) (15c-25c) 7 days, split bills. Gross: $1,600. (Average, $1,500)

"Eternally Yours" (U. A.)
CENTURY — (1,600) (25c-40c) 7 days. Gross: $3,200. (Average, $4,000)

"Mlle. Ma Mere" (French)
ESQUIRE—(290) (25c-40c) 7 days. Gross: $900. (Average, $800)

"The Return of Dr. X" (W. B.)
GOPHER—(990) (25c) 7 days; Gross: $3,200. (Average, $2,500)

"Gone With the Wind" (M-G-M)
ORPHEUM — (2,900) (75c-$1.10). Gross: $35,000. (Average, $4,400)

"The Fighting 69th" (W. B.)
STATE—(2,300) (25c-40c). Gross: $10,500. (Average, $4,000)

"Destry Rides Again" (Univ.)
WORLD — (400) (25c-55c) 7 days, 2nd week. Gross: $2,000. (Average, $1,600)

St. Paul:

"The Fighting 69th" (W.B.)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,200. (Average, $4,400)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,000) (75c-$1.10) 7 days. Gross: $27,000. (Average, $3,200)

"On Dress Parade" (W.B.)
RIVIERA—(1,000) (25c) 7 days. $1,600. (Average, $1,800)

"Legion of the Lawless" (RKO)
"Emergency Squad" (Para.)
"Legion of Lost Flyers" (Univ.)
"Honeymoon's Over" (20th-Fox)
TOWER—(1,000) (25c) 7 days, split week. Gross: $1,500. (Average, $1,600)

"Destry Rides Again" (Univ.)
WORLD—(400) (25c-55c) 7 days after week at Orpheum. Gross: $1,200. (Average, $1,000)

Ohio Theatres Drop New Prize Offers

COLUMBUS, Ohio, Feb. 14.—Independent Theatre Owners of Ohio have abandoned their plan to counteract the "Pot o' Gold" radio programs by offering double the prize offer to any patron who would have been the winner if he had been at home.

Inability to obtain the three cents per seat deposit to insure operation of the plan was given as the reason by P. J. Wood, secretary of the Ohio I.T.O. Cleveland exhibitors dropped a similar plan after a trial failed to show improved attendance on Tuesday, the night of the weekly broadcast.

Sues Universal

LOS ANGELES, Feb. 14.—Dolly Parks and Mrs. Jane Janofsky, widow and daughter, respectively, of Roy Gardner, who committed suicide recently in San Francisco, today filed suit for $150,000 damages against Universal and Claire Trevor. The action charges libel and invasion of privacy in the film, "I Stole A Million."

Film Benefit Sunday

A preview of the French film, "The Human Beast," will be held at the 55th Street Playhouse Sunday evening, under the auspices of the American-French War Relief, sponsored by a group of celebrities. The film will open its regular run on Monday.

Albany Allied Unit To Be Reorganized

Albany regional unit of Allied Theatre Owners of New York will be reorganized, it was decided at a meeting of the organization's executive committee here yesterday. Ray Pashley of Interlaken, executive vice-president, was appointed temporary vice-president of the Albany unit.

Max A. Cohen, who presided, appointed a reorganizing committee including George Abramson of Brooklyn, Edmund Souhami, general counsel, and Pashley. The committee will meet with the Albany members early in March, at which time new officers and directors will be elected.

Mitchell Conery of Ravena, Albany vice-president, and several other members recently resigned from that unit after breaking with the state organization on the Neely bill issue. The state organization is opposed to the bill.

The organization's by-laws provide that a member who acts contrary to organization policy may be ousted, according to Souhami. He said the unit has more than 40 members.

The next statewide meeting will be May 22 and 23 in Syracuse. The night of May 23 there will be a testimonial dinner honoring Cohen.

A regional meeting is scheduled for Syracuse Feb. 23.

Accessories Deal With 'U' Postponed

Effective date of the contract under which Advertising Accessories, Inc., National Screen Service subsidiary, will take over the accessories distribution of Universal, has been postponed.

The deal was supposed to have become effective today, but the clarification of details caused the delay. Although no new date has been set for the arrangement, it is understood that the delay will be short. Meanwhile, negotiations are still in progress on the absorption by Advertising Accessories of the three remaining units of the National Poster Service Association.

Majors Lose Trust Plea at Pittsburgh

PITTSBURGH, Feb. 14.—U. S. District Judge R. M. Gibson today denied a motion of the defendants asking for dismissal of the $150,000 anti-trust suit against the eight major companies and others by United Exhibitors, Inc., Penn State Theatre Corp. and others. The court ruled defense answers must be filed within 15 days.

Defendants in the trust action, in addition to the major companies, are: Colonial Amusement Corp., Marika Galanis, Leo Guerrein, Jr., Flora Guerrein, William Zeny, Joseph Seybold, George Seybold and Boyd Meyland.

Clemente in City

Frank Z. Clemente, independent producer, arrived from the Coast yesterday. Clemente is planning to produce a series of films in the East, first of which is tentatively titled "The Latin American Way."

100 'Robinson' Dates

"Swiss Family Robinson," Towne-Baker film distributed by RKO, will play 100 day and date engagements on Feb. 22, national release date.

Restraint

Oshkosh, Wis., Feb. 14.—The Strand here promoted the twin bill "Jamaica Inn" and "Married and in Love" with the admonition that "It's not 'colossal!' It's not 'stupendous' . . . It's just a good show . . . The kind everyone likes. . . . Bring a Friend!"

Republic Meeting In Atlanta Today

Third of Republic's regional sales meetings will be held today in Atlanta, with H. J. Yates, president of Consolidated Film Industries, and James R. Grainger, president of Republic Pictures attending. There will be similar sessions in Dallas Saturday and on the Coast Monday.

Attending will be: In Atlanta A. C. Bromberg, Southeastern franchise holder; and managers including Carl Floyd, Atlanta; Henry Glover, Tampa; J. H. Dillon, Charlotte; L. V. Seichshnaydre, New Orleans; William Snelson, Memphis.

In Dallas: W. G. Underwood and Claude Ezell, Dallas franchise owners; Sol Davis and B. F. Busby, franchise owners for Oklahoma and Little Rock, respectively; Lloyd Rust, Dallas manager, and Morris Loewenstein, Oklahoma City.

The following will attend the session at the studio in North Hollywood: M. J. Siegel, president, Republic Productions; J. T. Sheffield, franchise owner for the Northwest, including Seattle, Portland, Denver, Salt Lake City and Butte; Sid Weisbaum and Francis Bateman, San Francisco and Los Angeles branch managers, respectively.

Screen Playwrights Will Be Disbanded

HOLLYWOOD, Feb. 14.—Screen Playwrights, Inc., now reduced to 26 paid up members, will be dissolved. The contract with the producers has been officially abrogated. As a result there is no official method of settling screen writer credit disputes.

An early bargaining agreement with the Screen Writers Guild is anticipated, since the Playwrights have announced that their pact with the producers is nullified and with it the settlement of credit disputes through conciliation and arbitration. The Screen Writers Guild already is recognized as the official bargaining agency for writers.

Trinz Rites Held

CHICAGO, Feb. 14.—Funeral services were held today for Samuel Trinz, 77, brother of the late Joseph and Henry Trinz, who founded the Lubliner-Trinz Circuit. Trinz died on Monday of a heart attack.

Screencraft Closes Deal

Screencraft Pictures, Inc., state right distributors, have sold 13 features to Pam-O-Pictures in upper New York State and to Fine Arts Distributing Corp. of Pittsburgh.

Chicago House Burns

CHICAGO, Feb. 14. — The Main, neighborhood house, was burned last night after closing, with damage estimated at $20,000.

Radio Brevities

EFFECTIVENESS of the short wave broadcast of the Louis-Godoy last Friday night is being demonstrated by the flood of letters which NBC has been receiving. Up to noon yesterday, 860 letters had been received.

A total of 60 Latin American stations re-transmitted the program on the regular wave lengths and almost all Latin American short wave stations likewise re-broadcast the fight. A station manager in Puerto Rico advised the network that an independent checkup revealed that almost every radio set on the island was tuned to the fight.

Incidentally, from the standpoint of Adam Hats, which sponsored the fight on the Red network, Friday's bout was the most satisfactory thus far. The fight is bought for a flat sum and when it goes the full 15 rounds, the sponsor benefits. Generally speaking, the previous Louis fights have been a headache because they have been very short.

Personalities in the News

Appointment of Watson Lee to the CBS sales staff was announced yesterday by William C. Gittinger, vice-president in charge of sales. Lee was formerly Eastern advertising manager for the WOMAN'S HOME COMPANION. *. . . Milton Burgh, of the NBC special events department, returned yesterday from a two-week vacation. . . . Elmer Davis leaves for a vacation in Key West, Fla., on Feb. 23. His CBS news comment program will be filled by Linton Wells, Bob Trout and Albert Warner. . . . M. Patricia Lockridge, of the CBS special events department, flies to the Coast tomorrow on a business and vacation trip.*

Selling F M Receivers

Frequency modulation receivers are now being sold by three companies, two others are selling complete kits for home assembly, and seven other companies have been licensed to manufacture sets. In addition to 12 FM broadcasters now operating, 48 additional stations have filed applications for licenses with the F.C.C.

Program Notes

"Light of the World," a dramatized version of Bible stories in modern dialogue, will be sponsored by General Mills over NBC-Red beginning March 18. *The show will replace "Betty and Bob" now heard in the 2 P.M. spot for the same sponsor. . . . General Baking Co. has renewed its sponsorship of "The Lone Ranger" for an additional* 52 *weeks on* 10 *Mutual stations.*

Census Facts on 662 Stations

Largest single order filled by the radio-recording division of NBC was completed yesterday. A series of eight 15-minute records for 662 stations has been completed for the Government to describe the activities of the Census Bureau and prepare the public for the census-taker's visit. Called "Uncle Sam calling" the program is offered free to all stations by the Government.

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VOL. 47. NO. 34 NEW YORK, U. S. A., FRIDAY, FEBRUARY 16, 1940 TEN CENTS

Grosses Drop 50% in Storm Through East

Houses from Ohio Valley Eastward Are Hurt

Theatres from the Ohio Valley east to the Atlantic seaboard, and from Washington north to the middle of New England literally were snowed under on Wednesday and were still trying to dig out yesterday.

General estimates were that grosses in the affected area were off approximately 50 per cent, on the average, although reports from many spots had not yet filtered into the home offices of the major circuits.

Typical reports were these: RKO —business "no good" in the entire storm zone. Loew's—business very bad from Washington to Boston. Skouras—business off terribly; Warners—grosses badly hit.

Walter Reade Theatres in New Jersey reported the worst business in the history of the company. Walter Reade said that after the Paramount in Asbury Park managed to eke out a sparse $13 for the day on Wednesday, he ordered the theatre closed for the rest of the Winter. The Lincoln, in Trenton, N. J., as another example, on Wednesday grossed $141, against an average of $1,000.

The Century Circuit, operating in Brooklyn and Long Island, estimated grosses off from 40 to 50 per cent in the two areas.

With many towns in Pennsylvania

(*Continued on page* 4)

Korda is Arrival; Delays Coast Trip

Alexander Korda, head of London Films, arrived yesterday afternoon on the *Rex* and cancelled six hours later his plans to fly to the Coast. He will remain in the city several days.

When he left the ship's gangplank a deputy U. S. marshall served him with papers in the new suit brought by Samuel Goldwyn against United Artists, London Films and Korda.

Korda said his production plans, disrupted by the war, are indefinite. He will supervise the shooting of exterior shots in the Arizona desert and the Grand Canyon for "The Thief of Bagdad," which will complete the picture. The war prevented making these scenes in Africa, as originally planned.

Zoltan Korda, Alexander's brother and director of the film, who is in

(*Continued on page* 4)

Hepburn Drops Aim For Amusement Tax

Toronto, Feb. 15.—Although Ontario closes the year ending March 31 with a $4,000,000 deficit, Premier Hepburn officially announced today in the legislature that no amusement tax will be imposed for another twelve months.

Banks, Duce's Son To Produce Films

Monty Banks, who directs the Gracie Fields pictures for 20th Century-Fox in England, said on his arrival yesterday on the *Rex* that he has become associated with Vittorio Mussolini, son of Il Duce, in an Italian film company.

Banks said he will devote all his time to the new company upon expiration of his 20th Century-Fox contract next Summer. He has one more film to direct under this contract. He will confer with Darryl F. Zanuck, 20th Century-Fox production chief, and Robert T. Kane, in charge of the company's British picture, on the final picture.

Miss Fields accompanied Banks. They leave for the Coast today. She said plans to make "Molly, Bless Her" as her next picture have been shelved. She added that it probably will be "Mademoiselle from Armentieres," in which she could utilize her experiences as an entertainer for troops behind the Maginot Line.

Banks said the new Italian company is A. C. I., that it plans to make four

(*Continued on page* 7)

Coast Parley Fails On Wages; Meeting Will Resume Today

HOLLYWOOD, Feb. 15.—With support of the I.A.T.S.E. International behind them, leaders of the Conference of A. F. of L. Studio Unions met with producers today on the question of rescission of the 10 per cent wage increase granted Nov. 26. Failing to reach an agreement, they continued the session until tomorrow.

A joint statement issued following the three-hour conference was noncommittal. It merely said that union and producer committees "met to discuss the wage structure in the motion picture industry in accordance with an agreement reached last November. After discussion, the meeting adjourned to meet again on Friday."

Representing the unions were William Bioff, I.A.T.S.E. leader and chairman of the Conference of Studio Unions; J. W. Buzzell of the Los Angeles Central Labor Council; A. H. Peterson, A. F. of L. organizer for Southern California, and Walter Redmond, Plasterers International representative.

Producers were represented by Y. Frank Freeman, Edgar J. Mannix, B. B. Kahane, Walter Wanger, Fred Pelton, Pat Casey and M. B. Silberberg.

Bioff received the following telegram from George Browne, International Alliance president, this morning at a meeting of 20 locals, including 10 I.A.T.S.E. units involved in the Conference:

"You are hereby instructed and authorized to lend all aid and as-

(*Continued on page* 7)

Hollywood Inquiry is Next, Congressman Dies Warns

WASHINGTON, Feb. 15.—Charging that the film industry has tried to sabotage his committee, Representative Martin Dies today declared that he will propose an investigation of Hollywood as the next action for the House group investigating un-American activities.

Dies said the film producers had secured a copy of an investigator's report on conditions in Hollywood in a "mysterious" manner and have had it mimeographed. The report was made available to members of the committee, he said, but was not supposed to be made public.

Further, he declared, the industry "even knows" who the committee's witnesses are to be and, he said, "we would like to find out how they got" their information.

Making it clear that he was expressing his own views only and not talking for the committee, where he is apparently encountering difficulty in carrying through his program, Dies said that Hollywood's activities in the realm of his committee's investigations "should be exposed."

However, he said it will be up to the committee to decide whether the West Coast investigation shall be made and whether producers shall be called. Dies said he thought that if the inquiry is undertaken hearings should be held in Washington and a report should be issued before the

(*Continued on page* 4)

Goldwyn Files New U.A. Suit Over Contract

Bondy Refuses to Dismiss Action on Bonus

Cancellation of the Goldwyn distribution contract with United Artists Corp. and an injunction restraining U.A. from allegedly interfering with the release of future pictures, was demanded yesterday by Samuel Goldwyn, Inc., and Samuel Goldwyn in a 154-page complaint filed in U.S. District Court against U.A., London Film Productions, Ltd., and Alexander Korda.

On the same day, Federal Judge Bondy rendered a decision refusing to dismiss the suit of Samuel Goldwyn, Inc., for $54,559 and interest against U.A. The court decided that Goldwyn was the legal owner of a claim for payments under the Silverstone Plan and had not assigned it to The Bank of America as claimed by U.A.

Goldwyn's complaint filed yesterday was in most respects similar to one recently dismissed by the Chancery Court in Delaware for failure to include Korda among the necessary defendants. Major differences between the two suits are the inclusion of London Film Productions and Korda as defendants and a demand for damages against U.A. for preventing release of Goldwyn's film, "The Westerner," through other distributors.

Three basic charges are made by Goldwyn in his suit as grounds for considering his contract cancelled. The first claim is that U. A. breached its distributing agreement with the

(*Continued on page* 4)

New Coast Company To Use Paris Stars

Nat Wachsberger, executive vice-president of Film Alliance of the U.S., and Harry Brandt, also a principal in that company, will organize a new producing company on the Coast.

The new organization involves radical departure in that it will bring a group of French name stars and French producers from Paris to California.

Wachsberger will make the next crossing of Pan American's *Yankee Clipper*, scheduled to leave Baltimore today, to complete plans for the transfer here of the stars and producers who are to make up the nucleus of the new studios.

Names of the stars and producers, it

(*Continued on page* 4)

◀ Purely Personal ▶

JOSEPH S. HUMMEL, Warner general foreign sales manager, is in Puerto Rico and will return here March 1 via Miami.

•

Arthur Mayer, John Krimsky, John D. Hertz, Jr., Charles Sonin, Robert Weitman, Alec Moss, Douglas Montgomery, Larry Adler, Ben Boyar, Frederic Lonsdale and John Golden lunching at Sardi's yesterday.

•

Mr. and Mrs. Lou Ansell and Mr. and Mrs. John Garrison will leave for Florida this week. Ansell operates a string of St. Louis houses, and Garrison is head of the Universal exchange there.

•

Russell Holman, George Weltner, Wally Owen, Ted O'Shea, Sidney Phillips, Jay C. Flippen and Ed Saunders at Nick's Hunting Room in the Astor for lunch yesterday.

•

William Pine, associate producer for Cecil B. DeMille, returned to Hollywood yesterday from Canada, where he conferred with Royal Canadian Mounted Police officials on "North West Mounted Police."

•

Lester B. Isaac, chief projectionist for Loew's Theatres, today celebrates his 24th year with the company. He started in 1916, and assumed his present post in 1926.

•

John A. Schwalm, manager of the Northio Rialto, Hamilton, Ohio, who entered a clinic at Miami to undergo treatment for a heart ailment, is reported slightly improved.

•

W. G. Van Schmus, managing director of the Radio City Music Hall, yesterday spent several hours on the set in Hollywood of Sol Lesser's "Our Town," United Artists release.

•

Moe Sanders, office manager at the 20th Century-Fox New York exchange, and Mrs. Sanders have left for a Miami vaction.

•

Spyros Skouras, head of National Theatres, and Edward Zabel, film buyer, are due from the Coast Feb. 26.

•

J. Don Alexander of Colorado Springs has brought his new yacht, the *Widgeon*, to Miami.

•

Ona Munson flew back to the Coast last night via American Airlines.

•

Flora Robson is en route here from the Warner studio to appear in a Broadway play.

•

Richard Ford, representative of Oscar Deutsch, head of the English Odeon Circuit, is in town.

•

John Ringling North, head of the Ringling Bros. circus, arrived from Europe yesterday on the *Rex*.

•

Hal B. Wallis and his wife leave the Coast for New York today by train.

•

Max A. Cohen, head of the Cinema Circuit, left yesterday for Florida.

Collect Finnish Cash In Theatre Lobbies

Hundreds of telegrams from theatres agreeing to cooperate with the Finnish Relief Fund continue to pour into the Motion Picture Headquarters in New York City. Maj. L. E. Thompson is chairman and Vincent G. Hart is director.

In a statement yesterday, Major Thompson said:

"I am indeed grateful to the theatre owners of America for the cooperation that they are giving us for our collections in the theatre lobbies on Saturday and Sunday.

"Demands have been so great that we find it physically impossible to contact every theatre in America. I want to appeal to the theatre owner who has not been contacted by our office to join with us in this Drive. May I suggest that any theatre that has not suggest that any theatre that has not heard from us select the girls in its locality and have them in the lobbies of the theatres on Saturday and Sunday to collect funds for the Finnish Relief?

"I would suggest that all the money be turned over to the manager of the theatre who will mail it to Raymond Sawtelle, Treasurer of the Finnish Relief Fund, Inc., 420 Lexington Ave., New York City, giving, of course, the name of the theatre."

Paramount Plans Industrial Pictures

Paramount is prepared to begin production of industrial films for specialized advertising and promotional uses, the company yesterday advised leading advertising agencies whose accounts might be interested.

The industrials would be made by a special branch of the company's short subjects department and would have both East and West Coast production facilities made available to it.

One phase of Paramount's proposal to the agencies suggested the exhibition of the films to audiences attending radio broadcasts. Presumably, such films would be built around operations of the program's sponsors.

Funeral for Wilkes, Vet Film Man, Today

Funeral services will be held today in Buffalo for Michael Harris Wilkes, 55, Canadian exploitation representative, who died Wednesday night of a heart attack on a train en route from Toronto to Montreal.

A pioneer in the handling of shows in Canada since the days of "The Birth of a Nation," Wilkes has been with United Artists since 1932. He is survived by an only son, Dustin Wilkes. Haskell Masters, Canadian general manager for United Artists, and Toronto and Montreal sales representatives, will attend the funeral.

Donald W. Thornburgh, CBS vice-president in charge of West Coast operations, leaves today for a board meeting of the National Broadcasters Assoc. at Washington, D.C.

•

Dr. Paul Kortez, European story editor for 20th-Fox, arrived at the Coast studio yesterday for conferences with studio chiefs.

And the Last Shall Be First

Chicago, Feb. 15.—Orson Welles, en route west, said he had just signed a contract for a third picture for RKO, which he will make before he starts work on the first two he has signed to do.

Welles said, like the other two, it will be made from an original which he will write. He will put it in production this Spring for Fall release, and will act in it.

His first two, "Heart of Darkness" and "Smiler With a Knife," will be made later on, he said.

Grosses Improving After Storm Losses

Broadway grosses, after suffering the severe effects of Wednesday's blizzard, yesterday showed signs of slight improvement as the city began returning to normal.

"Swiss Family Robinson," with a stage show, drew an estimated $68,000 in its one week at the Music Hall. "I Take This Woman" got off to a slow start yesterday due to the weather.

"Of Mice and Men" bows in at the Roxy this morning to make two John Steinbeck films now playing in Times Square. "Grapes of Wrath" at the Rivoli is in its fourth week. Roxy's second week of "Little Old New York," with a stage show, grossed an estimated $32,000. "The Fighting 69th," with Paul Whiteman's band on the stage, is still strong at the Strand where it took an estimated $40,000 for its third week. It is being held for a fourth.

"A Chump at Oxford" opens at the Rialto Monday. On Thursday, "The Man from Dakota" follows "The Carters" at the Criterion.

March 1 Is Deadline For Majors' Replies

Defendant companies in the Government's New York anti-trust suit will have until March 1 to complete their answers to the Government's interrogatories under the agreement reached with Federal attorneys, which was reported in Motion Picture Daily yesterday.

The answers were to have been served yesterday but the new agreement permits defendants to "stagger" their replies. The first 24 answers will be served by defendants tomorrow; the next 15 will be due on Feb. 24, and the final 20 on March 1. Confidential answers in these groups will be served separately.

The Government's answers to the defendants' interrogatories will be due on March 1.

William P. Farnsworth, Government attorney, cited the time extension yesterday as evidence of the "Government's willingness to cooperate with defendants despite its anxiety to receive the answers."

Last Tuesday, Federal Judge Henry W. Goddard, who will preside at the trial of the suit, lectured the Government for its "very arbitrary" attitude and lack of cooperation thus far.

Newsreel Parade

Two Nazi planes downed on the Western Front and a German mine washed ashore in England constitute the main war coverage in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 46—Swedish Navy on Baltic Sea. English merchant ships armed. Australian troops leave for Suez. German mine on British shore. New French guns in action. Tanks in war games. Fur fashions. Chinese parade in San Francisco. Award outstanding aviator plaque. Dog show in New York. Ski jumps in Michigan. Di Maggio brothers limber up. Swims in icy New York lake. Sailing in Biscayne Bay.

NEWS OF THE DAY, No. 244—Navy guards Swedish shores. Nazi mine washed ashore in England. French down enemy planes. Premiere of "Young Tom Edison." Tank formations at Fort Benning. Fur fashions. Dog show. Di Maggio brothers prepare for baseball season.

PARAMOUNT NEWS, No. 49—Tank maneuvers in Georgia. Budget controversy in New York. Chinese war relief party in San Francisco. Mrs. Roosevelt before Congressional hearing. Outdoor wedding in Holland. Dog show. Lincoln Day dinner in New York. Vandenberg addresses Republicans in St. Paul. Yacht race in Miami. Ski jumps in Michigan.

RKO PATHE NEWS, No. 61 — Mrs. Roosevelt speaks on home conditions. French trap two German planes. Farley dedicates Lincoln Post Office. Winter carnival at Dartmouth. Finn envoy thanks U. S. Tank maneuvers at Fort Benning.

UNIVERSAL NEWSREEL, No. 850—French down bombers at front. Find German mine on English shore. Lincoln Post Office reopened in Illinois. New water wings demonstrated. Dog show. Sail boat race. Tank maneuvers. Di Maggio in training.

Wallis Due Monday For 'Ehrlich' Show

Hal Wallis, executive producer for Warners, will arrive here Monday from the studio for the premiere of "Dr. Ehrlich's Magic Bullet." The film will open at the Broadway Strand on Feb. 23.

While here, Wallis will confer with Major Albert Warner, Gradwell L. Sears, general sales manager, and Charles Einfeld, director of advertising and publicity, on forthcoming Warner product.

Schaefer Names Piazza

Hollywood, Feb. 15.—Ben Piazza has been appointed head of RKO's talent department and also will supervise casting, George Schaefer announced today. Schaefer leaves for New York tomorrow by plane.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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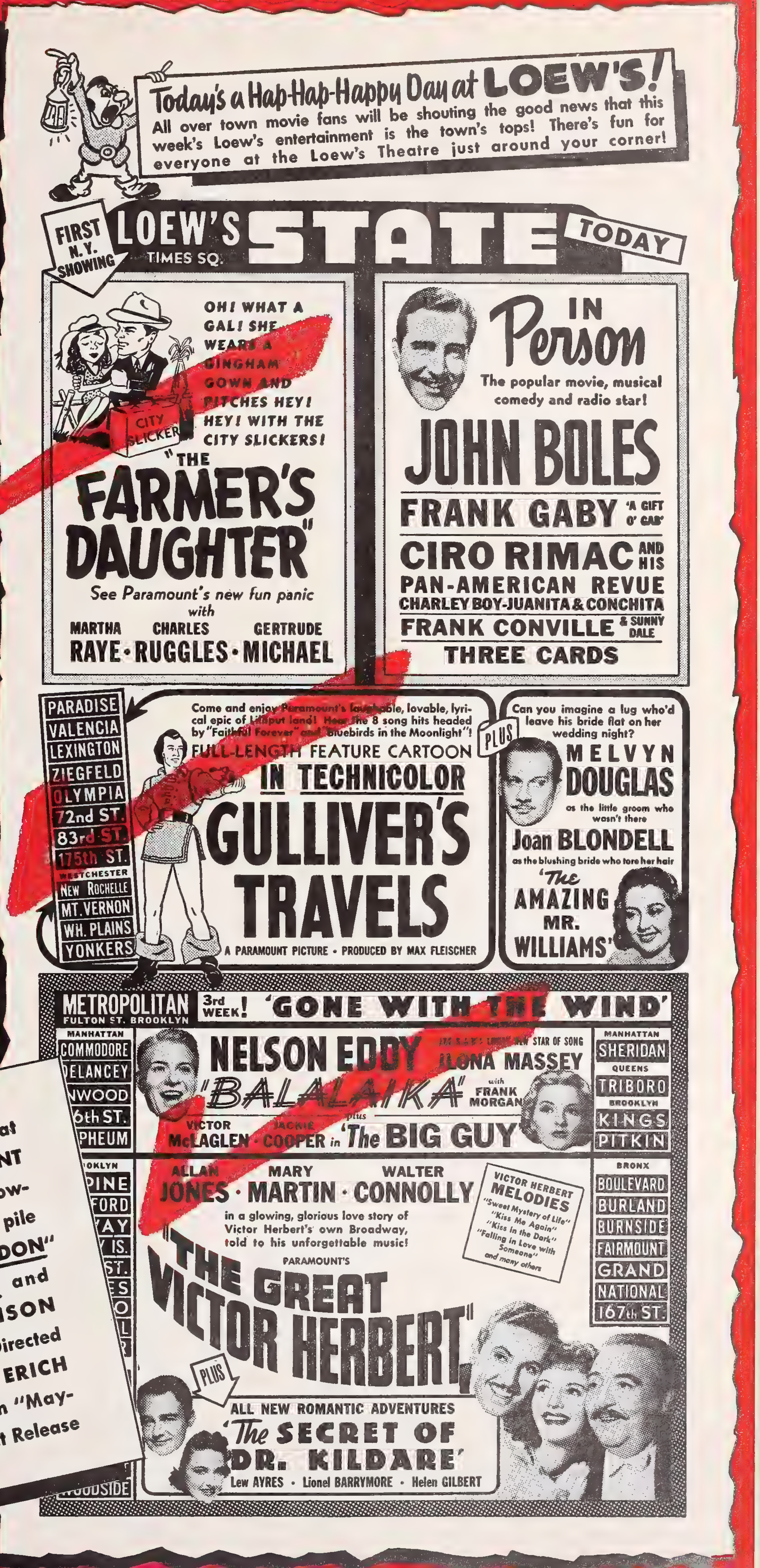
*it's a Hap-Hap-Happy Day at **LOEW'S** ... they're playing **3 BIG PARAMOUNT PICTURES!***



Today's a Hap-Hap-Happy Day at LOEW'S!

All over town movie fans will be shouting the good news that this week's Loew's entertainment is the town's tops! There's fun for everyone at the Loew's Theatre just around your corner!

FIRST N.Y. SHOWING

LOEW'S STATE TIMES SQ. TODAY

OH! WHAT A GAL! SHE WEARS A GINGHAM GOWN AND PITCHES HEY! HEY! WITH THE CITY SLICKERS!

"THE FARMER'S DAUGHTER"

See Paramount's new fun panic with

MARTHA RAYE · CHARLES RUGGLES · GERTRUDE MICHAEL

IN Person

The popular movie, musical comedy and radio star!

JOHN BOLES

FRANK GABY 'A GIFT O' GAB'

CIRO RIMAC AND HIS PAN-AMERICAN REVUE

CHARLEY BOY-JUANITA & CONCHITA

FRANK CONVILLE & SUNNY DALE

THREE CARDS

PARADISE
VALENCIA
LEXINGTON
ZIEGFELD
OLYMPIA
72nd ST.
83rd ST.
175th ST.
WESTCHESTER
NEW ROCHELLE
MT. VERNON
WH. PLAINS
YONKERS

Come and enjoy Paramount's laughable, lovable, lyrical epic of Lilliput land! Hear the 8 song hits headed by "Faithful Forever" and "Bluebirds in the Moonlight"!

FULL-LENGTH FEATURE CARTOON IN TECHNICOLOR

GULLIVER'S TRAVELS

A PARAMOUNT PICTURE · PRODUCED BY MAX FLEISCHER

PLUS

Can you imagine a lug who'd leave his bride flat on her wedding night?

MELVYN DOUGLAS as the little groom who wasn't there

Joan BLONDELL as the blushing bride who tore her hair

'The AMAZING MR. WILLIAMS'

METROPOLITAN FULTON ST. BROOKLYN

3rd WEEK! **'GONE WITH THE WIND'**

MANHATTAN
COMMODORE
DELANCEY
NWOOD
6th ST.
PHEUM

NELSON EDDY [illegible] STAR OF SONG ILONA MASSEY

"BALALAIKA" with FRANK MORGAN

plus

VICTOR McLAGLEN · JACKIE COOPER in **'The BIG GUY'**

MANHATTAN
SHERIDAN
QUEENS
TRIBORO
BROOKLYN
KINGS
PITKIN

OKLYN
PINE
FORD
AY
IS.
ST.
S
O
L
R
OODSIDE

ALLAN JONES · MARY MARTIN · WALTER CONNOLLY

in a glowing, glorious love story of Victor Herbert's own Broadway, told to his unforgettable music!

VICTOR HERBERT MELODIES
"Sweet Mystery of Life"
"Kiss Me Again"
"Kiss in the Dark"
"Falling in Love with Someone"
and many others

PARAMOUNT'S

"THE GREAT VICTOR HERBERT"

PLUS

ALL NEW ROMANTIC ADVENTURES

'The SECRET OF DR. KILDARE'

Lew AYRES · Lionel BARRYMORE · Helen GILBERT

BRONX
BOULEVARD
BURLAND
BURNSIDE
FAIRMOUNT
GRAND
NATIONAL
167th ST.

P.S. It's a Hap-Hap-Happy Day at the **NEW YORK PARAMOUNT** too, for they're plowing through snow-drifts on the sidewalks of New York to pile in to see the **"SIDEWALKS OF LONDON"** starring **CHARLES LAUGHTON** and **VIVIEN LEIGH** with **REX HARRISON** · Screen play by Clemence Dane · Directed by **TIM WHELAN** · Produced by **ERICH POMMER** · A Pommer-Laughton "Mayflower" Production · A Paramount Release

New Goldwyn Suit Over U.A. Contract

(*Continued from page* 1)

plaintiffs by sanctioning the organization and membership of the Alexander Korda Film Productions, Ltd., as an associate producer.

The second charge made is that U. A. failed to make a payment of $54,559 and interest under the Silverstone Plan to Goldwyn and compelled him to bring suit.

Finally, the complaint contends that U. A. "maliciously and wrongfully" conceived the plan of driving the plaintiffs out of business. In this respect, Goldwyn sets forth about 14 examples of tactics employed by U. A. to effect this result, such as discrimination against the plaintiffs in the distribution and advertising of their films, the issuance of unfavorable press releases and efforts to obtain resignations by Goldwyn employees.

The complaint describes frustrated attempts bv Goldwyn to secure release of "The Westerner" by Paramount or Warner Bros. After refusal by these companies to distribute the film because of threatened litigation, Goldwyn failed to obtain the release by any other company and was forced to turn the film over to U. A., the complaint alleges.

Calls Educational Creditors Meeting

Referee John E. Joyce yesterday ordered a first meeting of creditors of Educational Pictures, Inc., for Feb. 29 at 10 A. M. Under terms of the order, creditors will elect a trustee, present their claims and examine company officials at that meeting.

Earle Hammons, former president of Grand National Pictures; Bruno Weyers, vice-president; John R. Munn, director, and Walter Duke, attorney, were examined yesterday by the attorney for the trustee of G. N.

Duke and Munn both defended a transaction under which Educational Pictures received 1,100,000 shares from G. N., its subsidiary, in return for Educational assets. Hammons testified to a series of transactions through which Jeremiah D. McGuire, a creditor, received an assignment of G. N. rights to 10 films now being distributed to Twentieth Century-Fox Film Co.

Molina Here to Sell Native Cuban Film

Luis R. Molina, head of Royal News studio in Havana, is in New York to negotiate a release for the latest feature produced there. Its title is "La Cancion del Regreso" ("Song of the Return"), and it runs nine reels.

Royal News is primarily a newsreel organization, representing all American reels except Universal.

Flying South to Film 'Fashion Forecast'

Vyvyan Donner, producer of fashion shorts for 20th Century-Fox, will head a large party of persons who will leave tomorrow by plane for Miami Beach where the next "Fashion Forecast," color one-reeler, will be made.

London Review

"Dr. O'Dowd"

(*Warners*)

LONDON, Jan. 22 (*By Mail*).—Homely character dramas such as this, with a domestic flavor and a breath of humanity, are all too rare. This one gets over without any extravagance of staging or narrative. To English audiences in wartime it should be a solace in its freedom from present problems. Elsewhere its Irish flavor indicates appeal, too.

Shaun Glenville, an Irish actor with no screen experience, offers an ingratiating performance in the character of L. A. G. Strong's toping Irish doctor, a loveable old soul whose only weakness is fondness for the bottle. Glenville gets under the skin of the character in a quaintly blear-eyed but knowing way, makes a touching show of his banishment from the medical register and his retirement to the quiet waters of the Shannon with a rod and a never empty bottle. Eventually he comes again across the son who has disowned him, because he let his wife die under an anaesthetic, and fighting against his enmity and the iron attitude of the medical register, saves him from death by diptheria.

With its quiet sentiment and its well timed passages of drama, its emphasis on character and its exactness of atmosphere, the film holds interest and commands sympathy throughout.

Running time, 76 minutes. "A."* AUBREY FLANAGAN

"A" denotes adult classification.

Korda is Arrival; Delays Coast Trip

(*Continued from page* 1)

Hollywood, will direct the sequences with three members of the cast. These include June Duprez, who also arrived yesterday. Sabu, who is on the Coast, and John Justin, who will arrive from England soon.

Korda will confer on the Coast with Maurice Silverstone, executive head of United Artists, regarding his future plans. He said it is uncertain whether "The Jungle Boy" with Sabu, will be made in Hollywood as he had contemplated.

Korda's plans to produce another British war propaganda film have been dropped. This was to have been "The Hunting of the U-Boat," a Navy sequel to "The Lion Has Wings."

Regarding British production, Korda said that while the situation is uncertain there are at present between six and eight pictures in work at London studios and that the Denham studio is busy with Gabriel Pascal and other producers.

Ben Goetz, in charge of M-G-M's British production, is scheduled to start "Busman's Honeymoon," starring Robert Montgomery, in a week or two at Denham.

"The war is forcing the British companies to make small pictures," he said. "Big pictures from England will be few and far between."

Klein Wins Verdict

Julius Klein, film salesman, has obtained a Municipal Court jury verdict for $733, the full amount of his claim against Producers Laboratories, Inc., and Jack Cosman, less payments made on account. Klein sued for commissions on the sale of "Small Town Idol" to the Vitaphone Corp. Harry G. Kosch and Harry Lewis represented Klein.

Banned Third Time

CHICAGO, Feb. 15.—Chicago's censors today for the third time banned the showing of "Hitler, Beast of Berlin," despite cuts and a change in the title of the film.

New Coast Company To Use Paris Stars

(*Continued from page* 1)

is stated, may not be disclosed until after contracts have been completed. Wachsberger expects to return in two weeks with complete plans of his new move.

Several English stars may be signed. Contracts with French names will be limited to those speaking English.

Six pictures are included in the Spring and Summer shooting schedule, cameras to begin turning approximately April 10. Distribution of the new product will be effected through Film Alliance of the U.S. of which Norman Elson is sales manager. Present headquarters in the RKO Building, Rockefeller Center, will be enlarged.

Film Alliance will combine the new American product with French and English features and will continue its previously announced program of 25 foreign pictures for 1940.

Explorer Bringing New Picture to City

Upon arrival in New York Sunday, Armand Denis will undertake to prepare for release about 45,000 feet of black and white film which he and Leila Roosevelt procured during a 10-month expedition on every continent except Australia.

Denis and Miss Roosevelt arrived in Boston Wednesday, having sailed from British East Africa on Christmas Eve.

Following preparation of the film, Denis will negotiate for distribution of the picture. "Dark Rapture" which Denis and Miss Roosevelt filmed last year, was distributed by Universal in the United States and by 20th Century-Fox abroad.

Bill for Sunday Films

PROVIDENCE, Feb. 15.—Sunday films would be permitted in the town of Smithfield, R. I., under the terms of an act introduced in the General Assembly by Senator Raymond E. Adams

Grosses Drop 50% in Storm Through East

(*Continued from page* 1)

completely cut off by huge drifts, innumerable cars abandoned on the roads and snow piled high on theatre roofs, business suffered most severely. For the most part Comerford Theatres managers by yesterday had not yet sent in their reports.

The same situation prevailed among the Paramount affiliates in the blizzard-struck area. Officials of that company declared that New York and Connecticut grosses appeared to have been most seriously damaged.

Transit Service Crippled

A Warner Theatres executive reported that a man was sent out of Philadelphia Wednesday afternoon, and was stopped 10 miles out of town by a state trooper. The officer warned him that he might travel ahead "at his own risk," but urged him to turn back. In the city, transit service was crippled.

Feiber & Shea Circuit, with houses in Pennsylvania, Ohio and New England, reported business off approximately 35 per cent. As an example, a house with an average intake of $200 took in barely $40.

The New York picture—slippery streets, skidding traffic and pedestrians, freezing temperatures, some power failures and erratic surface transit—was duplicated or surpassed in all major spots. In rural communities the situation, of course, was worse.

Film Deliveries Delayed

Providence stores were forced to close; Boston transportation was virtually brought to a standstill; Upstate New York towns were snowed under, film deliveries delayed and in many cases houses were forced to close.

The Broughton, Pittsburgh suburban theatre, closed in that city's worst storm in 27 years. Business in other houses was anaemic. Trolley service was suspended at 5 P. M., and many theatre employes were unable to report for work.

Although the weather cleared yesterday as the storm swept out to sea, the belief is that it will be several days before business returns to normal.

Dies Threatening Hollywood Probe

(*Continued from page* 1)

beginning of the political campaigns, during which the committee should "fold up."

He charged that the film industry has a well organized campaign against the committee and has hired the "highest priced" publicity service in the world to "turn heaven and earth" in an attempt to stop the investigation.

"They have a lot of political influence," Dies said. "I think they are going to start one of the darndest campaigns of ridicule you ever saw."

The campaign, he added, might include a film about the committee, which he said he "understood" was to be made.

WORLD-WIDE SUPREMACY

NINE out of the Ten Best Pictures chosen in the *Film Daily's* 1939 critics' poll were made on Eastman Negative Films. Two of the Ten Best Pictures were made in England, and both were on Eastman—striking evidence of the world-wide recognition of this film's excellence. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

NINE OF THE "TEN BEST" ON EASTMAN NEGATIVE

'Wind' Draws Big $72,000, Philadelphia

PHILADELPHIA, Feb. 15.—"Gone With the Wind" continued to play to capacity business for a third week, giving the Boyd $31,000 and the Earle $41,000. "The Invisible Man Returns" at the Stanton drew $7,000.

Estimated takings for the week ending Feb. 9:

"The Light That Failed" (Para.)
"Vigil in the Night" (RKO)
ALDINE—(1,700) (32c-42c-57c-68c) 6 days; 2nd week, 1 day. Gross: $10,300. (Average, $8,000)
"Balalaika" (M-G-M)
"The Great Victor Herbert" (Para.)
ARCADIA—(600) (32c-42c-57c) 3rd run, 2nd week, 6 days; 3rd week, 1 day. Gross: $3,500. (Average, $2,600)
"Gone With the Wind" (M-G-M)
BOYD—(2,400) (86c-$1.14-$1.71) 7 days, 3rd week. Gross: $31,000. (Average, $13,000)
"Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 7 days, 3rd week. Gross: $41,000. (Average, $14,000)
"The Fighting 69th" (W. B.)
FOX—(3,000) (32c-42c-57c-68c) 7 days, 2nd week. Gross: $19,700. (Average, $13,000)
"Raffles" (U. A.)
"The Light That Failed" (Para.)
KEITH'S—(2,200) (32c-42c-57c-68c) 2nd run, 6 days; 2nd run, 1 day. Gross: $3,425. (Average, $3,500)
"Music in My Heart" (Col.)
"His Girl Friday" (Col.)
KARLTON—(1,000) (32c-42c-57c-68c) 6 days; 2nd run, 1 day. Gross: $3,050. (Average, $3,000)
"His Girl Friday" (Col.)
"Little Old New York" (20th-Fox)
STANLEY—(3,700) (32c-42c-57c-68c) 2nd week, 6 days; 1 day. Gross: $13,700. (Average, $14,000)
"The Invisible Man Returns" (Univ.)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $7,000. (Average, $4,500)

'Hardy' at $7,200 In Montreal Lull

MONTREAL, Feb. 15.—"Judge Hardy and Son" grossed $7,200 at the Palace.

Estimated takings for the week ending Feb. 9:

"That's Right. You're Wrong" (RKO)
"Three Sons" (RKO)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $5,200. (Average, $8,000)
"Gulliver's Travels" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $4,800. (Average, $8,000)
"Slightly Honorable" (U. A.)
"Tropic Fury" (Univ.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $2,700. (Average, $5,000)
"Judge Hardy and Son" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. days. Gross: $7,200. (Average, $10,000)
"Geronimo" (Para.)
"Our Neighbors—The Carters" (Para.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $5,500)

Chicago McVickers Changes Its Policy

CHICAGO, Feb. 15.—A new policy has gone into effect at the McVickers, with a first run feature and a second run picture comprising the program. The McVickers, which usually plays two second run films, will in the future play one first run picture as part of the program.

The reason for the change is reported to be the long run of "Gone With the Wind" at the Oriental. Jones, Linick & Schaefer operate both houses and heretofore have used the Oriental for first run "B" pictures as well as second runs. With the Oriental tied up, product has been piling up so fast that some change was necessary to get a Loop showing for a number of films.

Hollywood Review

"The Man from Dakota"

(M-G-M)

HOLLYWOOD, Feb. 15.—A story about the Civil War, "The Man from Dakota" resolves into what is primarily a vehicle for the display of the comedy abilities of its star, Wallace Beery.

As a Union sergeant escaping against his will from a Confederate prison camp, Beery caused great merriment on the part of the preview night audience with his emphasis on satisfying his stomach's demands at all costs. His companion in the escape is depicted by John Howard, with Dolores Del Rio enacting a Russian girl who travels with them after murdering her alleged brother. Donald Meek and Robert Barrat are excellent in smaller characterizations.

Produced by Edward Chodorov, the picture was directed by Leslie Fenton, the latter's third feature since graduating from the direction of short subjects.

Laurence Stallings wrote the screen play from a book by MacKinlay Kantor.

Running time, 74 minutes. "G."* WALTER SELDEN

"G" denotes general classification.

Frisco Gives 'Wind' Big Lead at $34,500

SAN FRANCISCO, Feb. 15.—"Gone With the Wind" drew $34,500 in its second week at the Warfield.

Estimated takings for the week ending Feb. 6-9:

"The Saint's Double Trouble" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $11,500. (Average, $15,000)
"His Girl Friday" (Col.)
"Little Accident" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days. Gross: $14,700. (Average, $8,000)
"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
FOX—(5,000) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $14,000. (Average, $16,000)
"I Take This Woman" (M-G-M)
"British Intelligence" (W. B.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $11,000. (Average, $11,500)
"Of Mice and Men" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $7,500. (Average, $8,000)
"The Blue Bird" (20th-Fox)
ST. FRANCIS—(1,400) (75c-$1.10) 7 days. Gross: $7,100. (Average, $6,000)
"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days, 2nd week. Gross: $34,500. (Average, $12,000)
"Port of Shadows" (Film Alliance)
CLAY—(400) (15c-35c-40c) 7 days, 2nd week. Gross: $1,100. (Average, $1,000)
"The Ski Chase"
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $700. (Average, $1,000)

Plan Child Curfew At Columbus Films

COLUMBUS, O., Feb. 15.—Climaxing a checkup among theatres, which disclosed that the majority of youths found idly roaming the streets at night offered the excuse that "they were returning from late shows," police authorities plan to introduce an ordinance prohibiting theatres from admitting children during school hours, and those under 14 at late shows unless accompanied by parents or guardians.

This is the initial step in a program designed to reduce juvenile crime here.

Club Dance March 1

KANSAS CITY, Feb. 15.—Inaugural dinner dance and floor show for Variety Club's 1940 officers will be held March 1 at the Hotel Muehlebach, according to Jerry Zigmond, chairman of the committee in charge. Little Jack Little will feature the entertainment.

'Wind' Is Buffalo's Winner at $38,500

BUFFALO, Feb. 15.—"Gone With the Wind" continued strong in its second week here, bringing the Great Lakes $38,500.

Estimated takings for the week ending Feb. 10:

"The Shop Around the Corner" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Ted Lewis, his orchestra and revue on stage. Gross: $15,600. (Average, $12,000)
"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (75c-$1.10-$1.50) 7 days, 2nd week. Gross: $38,500. (Average at 30c-50c, $7,500)
"Slightly Honorable" (U. A.)
"Married and in Love" (RKO)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $6,700. (Average, $6,800)
"The Secret Four" (Capad, Inc.)
TWENTIETH CENTURY—(3,500) (30c-50c) 7 days. Hollywood Parade, stage revue, with Three Stooges, Cliff Edwards, Gloria Dickson, Alexander D'Arcy, The Brewster Twins, Marjorie Bell and Evelyn Farney. Gross: $16,700. (Average, $6,800)
"His Girl Friday" (Col.)
"First Offenders" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days, 2nd week. Gross: $9,000. (Average, $6,300)

Mississippi Tax May Hit Theatres

JACKSON, Miss., Feb. 15.—With a measure in the state Senate hopper to impose a heavy tax on operation of circuits in Mississippi, theatre operators are fearful that theatres will not be exempt. In addition to the circuit levy, the bill also calls for a gross receipt levy with money for both returns going to old-age pensions in the state.

The Ford bill provides for a graduated license tax based on the number of establishments operated by a chain company, regardless of location. A minimum of 20 units calls for an annual levy of $20 per establishment; $100 on chains of 20 to 40; $250 from 50 to 100; $500 on 100 to 250; $800 on 250 to 500 and $1,000 per unit on chains of more than 500 anywhere in the country.

Seeks to Sue Union

ST. LOUIS, Feb. 15.—Permission to sue receivers of the Operators' Union, Local 143, for $75,000 damages allegedly suffered as a result of picketing at the Fox since Oct. 5 is sought in a petition filed in Circuit Court here by the Eden Theatre Co., lessee of the theatre property.

'Wind' Smash Hit in Chicago With $67,000

CHICAGO, Feb. 15.—"Gone With the Wind" topped the first week's all-time records at both the Woods and Oriental theatres. Total gross [illegible] $67,000. Loop business was good. Dorothy Lamour, in person at the Chicago theatre, put "The Fighting 69th" over the top in a second week that hit the $37,600 mark.

Estimated takings for the week ending Feb. 7-10:

"Slightly Honorable" (U. A.)
APOLLO—(1,400), 35c-55c-75c, 7 days. Gross: $5,600. (Average, $6,000)
"The Fighting 69th" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Dorothy Lamour with Revue. Gross: $37,300. (Average, $32,000)
"Earl of Chicago" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $8,000. (Average, $5,000)
"Gone With the Wind" (M-G-M)
ORIENTAL — (3,200) (75c-$1.10-$1.50) 7 days, 2nd week. 3 shows daily. Gross: $49,200. (Average, $13,000)
"My Little Chickadee" (Univ.)
"Oh, Johnny" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $14,600. (Average, $12,000)
"Invisible Stripes" (W. B.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $8,700. (Average, $11,000)
"Blondie Brings Up Baby" (Col.)
STATE-LAKE — (2,700) (25c-35c-50c) 7 days. Stage: Duke Ellington & Band. Gross: $16,700. (Average, $12,000)
"Judge Hardy and Son" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $10,500. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days, 2nd week. Gross: $17,800.

'Wind' at $53,000, St. Louis Record

ST. LOUIS, Feb. 15.—Grossing $53,000, "Gone With the Wind," playing its second week at the Loew's State, broke all existing records.

Estimated grosses for the week ending Feb. 8:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $53,000. (Average, at 25c-40c-55c scale, $13,000)
"His Girl Friday" (Col.)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $14,000. (Average, $11,500)
"Brother Rat and a Baby" (W. B.)
"Green Hell" (Univ.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $12,500. (Average, $11,000)
"Fighting 69th" (W. B.)
"Mexican Spitfire" (RKO)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,000. (Average, $4,000)

Legion Approves Eight New Pictures

National Legion of Decency has approved all eight films reviewed for the current week, two for general patronage and six for adults. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Death Goes North," "Special Inspector." Class A-2, Unobjectionable for Adults—"Broadway Melody of 1940," "Convicted Women," "Manhattan Shakedown," "Murder is News," "Sidewalks of London," "Typhoon."

Adds Course on Films

CLEVELAND, Feb. 15.—Cleveland College of Western Reserve University has added a course on the art of the motion picture, with Milton S. Fox, lecturer in English, directing.

Radio Brevities

PROFESSIONAL hockey will be added to NBC's list of telecasts on Sunday, Feb. 25, when the New York Rangers meet the Canadiens at Madison Square Garden. Ordinary lighting, supplemented by special spot lights to follow the players, will be used. Wrestling, boxing and soccer are now regular weekly features and hockey may be added for Sunday nights.

Personalities in the News

Jimmy Fidler starts a personal appearance tour of Eastern theatres on Feb. 23. . . . Roy A. Powell, formerly executive secretary to Gov. Johnston of South Carolina, has been appointed general manager of WCOS, Columbia, to succeed Hugh A. Deadwyler who has joined a Charlotte advertising agency. . . . Benny Friedman, WMCA sportscaster, moves to a new time on Sunday. He will be heard at 7 P.M. instead of 10 A.M. . . . Henry L. Mencken, editor and author, will be guest of John T. Frederick's "Of Men and Books" program over CBS Tuesday. . . . Louis Sobol, Broadway columnist, starts a weekly series over Mutual beginning Wednesday at 9:15 P.M.

Wins General Electric Plaque

WMAL, Washington, has been awarded the General Electric Plaque, which is given annually to the station which loses the least amount of time on the air through technical difficulties or personnel errors. WMAL also won last year.

Program News

"Song Pluggers," a new CBS program to describe the work of the men who popularize the musical hits, starts Friday, Feb. 23 at 3:15 P.M. Ed Cashman who conceived the program will act as emcee, with Jack Leonard singing and Ray Bloch leading his band. The history of a song will be described on each show. . . . Paramount has purchased daily 50-word announcements on "Breakfast in Bedlam" over WJZ for "Sidewalks of London." . . . Campbell Soup has renewed two five-minute news periods over WEAF for an additional 20 weeks. "Campbell Condensed News" is heard at 9 A.M. and 12:45 P.M. Mondays through Saturdays.

Civic Concert 10 Years Old

Celebrating 10 years of affiliation with NBC, the Civic Concert Association, founder of the organized concert audience plan, will salute its member organizations in a special one-hour concert over NBC-Blue on Sunday, Feb. 25, at 3 P.M. George Engels, vice-president in charge of the NBC artists bureau and president of Civic Concert, and Lenox R. Lohr, NBC president and chairman of the board of Civic Concert, will be heard on the program.

MCA Brochure Out

Music Corp. of America has sent a brochure to the trade listing its contributions to radio. Theme of the brochure is that MCA programs result in higher Crossley ratings with lowered costs "per Crossley point."

Coast Parley Fails On Wage Question

(Continued from page 1)

sistance and use all means at our command to assist all locals of the A. F. of L. affiliated with the Conference of A. F. of L. Studio Unions in their negotiations. You have full support and confidence of our International Alliance."

Conferees made an agreement among themselves to release no information other than the joint statement regarding the parley. However, it was learned that two additional locals, one composed of studio culinary workers and commissary employes and the other of studio first-aid workers, joined the Conference today and negotiators were to ask recognition for them as well as for automobile mechanics, now members of Cinema Lodge No. 1185 of the Machinists International.

Involved in current discussions, in addition to I.A.T.S.E. crafts, are plasterers, utility workers, machinists, plumbers, molders, metal polishers, blacksmiths, sheet metal workers, sign and picture painters, and building service employes.

Wireless Operators To Fete CBS Chief

William S. Paley, CBS president, and the chief engineers of the major networks will be honored by the Veteran Wireless Operators Association at their 15th annual dinner in the Hotel Astor Wednesday evening. The Marconi Memorial Service Award will go to the entire American broadcasting industry for world leadership in broadcasting.

Paley will be elected to honorary membership for his contribution to radio. The engineers—E. K. Cohan, CBS; O. B. Hanson, NBC, and J. R. Poppele, Mutual, will receive the Marconi Gold Medal of Achievement. The award to the industry, a bronze plaque, will be accepted by an official of the National Association of Broadcasters.

Awards Are Planned For Montague Drive

Plan for a series of awards for Columbia sales personnel during the Montague 15th anniversary sales and billings drive has been completed by Rube Jackter, assistant sales manager and chairman of the drive.

National awards based on billings will be made to managers, salesmen, office managers and bookers of the first 12 branches to show the greatest improvement in billings at the end of the 12-week period from Feb. 17 to May 10. Apart from the national awards, special territorial awards will be made to managers of the leading branch in each division and to bookers of the six leading branches which show the greatest billings records on short subjects and serials.

Disney Art Display For 100 Galleries

About 100 art galleries throughout the country will exhibit the original drawings from Walt Disney's "Pinocchio," which are currently on display in the lounge of the Center Theatre. Simultaneous showings in New York will be held at the Julien Levy, the Harlow and the Kennedy Galleries.

Fox Signs Up 11,000 Feature Contracts

A total of 11,000 feature contracts for 1939-'40 has been sold by 20th Century-Fox, according to the distribution department.

This is 260 more than last year's total in the same period and is said to be an all-time record for the company in the period. The distribution department expects more than 12,000 feature contracts by the end of the selling season.

Asks Station License Under Havana Pact

WASHINGTON, Feb. 15.—First application for a new broadcasting station in which advantage is taken of the North American Regional broadcast agreement which will require a reallocation of some 700 United States stations next Summer, has been filed with the Federal Communications Commission.

The application was filed by General Broadcasting, Inc., Miami, and asked a construction permit for a 1,330 or 1,360 kilocycle station when the Havana treaty goes into effect, to have 500 watts power night, 1,000 watts day.

Form Metro Club

ALBANY, Feb. 15.—Local employes of the Metro-Loew exchange here have formed a "pep club" and elected Sidney Stockton, office manager, as their first president. Ralph Pielow, branch manager, is honorary president. Other officers are Jane Breen, treasurer and Josephine Lasky, secretary.

Banks, Duce's Son To Produce Films

(Continued from page 1)

pictures at Cinecitta in English and French for the international market, with an Italian dubbed version.

The company, he disclosed, also plans to build a 4,000-seat theatre in Rome and houses in other key cities. Banks said A. C. I. is capitalized at $3,000,000, all of which is private capital, with no Government subsidy.

Mussolini, said Banks, is president. Others in the company are Silvano Balboni as technical director, and Dr. Franco Riganti as producer and managing director. Banks will be a producer and in charge of deals with foreign countries, which will include the import of talent for the films, he said.

Two pictures planned by A. C. I. are "The Life of Liszt" and "Lord Byron." Banks said he is seeking Leslie Howard to play the Liszt role.

Banks added that the Rome studios are among the most active in Europe, with nine companies shooting at present. Among the films in work, he said, are one in Spanish for South America, one in French, one German and two English versions.

Television Revival Favored in Britain

LONDON, Feb. 15.—British Government Television Advisory Committee will meet Monday for the first time since the war. The possibility of renewing BBC television service, probably with the land line system, will be studied.

Manufacturers, who are urging resumption, will be satisfied with even a skeleton schedule, it is understood.

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"Did you like going to school?"
"Sure, I liked going to school and coming back.
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VOL. 47. NO. 35 NEW YORK, U. S. A., MONDAY, FEBRUARY 19, 1940 TEN CENTS

Majors Reply to U. S. Trust Suit Questions

Answers Bare Earnings; Some Kept Secret

With the filing of answers to the Government's interrogatories in the New York anti-trust suit by four majors Friday and Saturday, it remained for only four other defendants to submit their replies, which they intend to do today.

Paramount, Metro-Goldwyn-Mayer, Twentieth Century-Fox and Universal are scheduled to file their answers today. RKO filed on Saturday while United Artists, Warner Brothers and Columbia presented their answers on Friday.

Seven RKO companies, including the parent organization, Radio-Keith-Orpheum Corp., filed answers to the first 24 Government queries. None of these replies were confidential in nature. The companies covered included, besides the parent corporation, RKO Radio Pictures, Inc., Pathe News, Inc., Van Beuren Corp., RKO Proctor, RKO Midwest and Keith-Albee-Orpheum.

Among the revelations in the RKO answers were the gross and net profit figures for Radio-Keith-Orpheum for the following years.

1935—Gross, $1,212,389; net profit, $3,154.

1936—Gross, $2,234,423; net profit, $1,161,168.

1937—Gross, $1,679,437; net profit, $771,878.

1938—Gross, $1,402,602; net profit, $273,497.

United Artists Corp., Warner Bros. Pictures, Inc., Columbia Pictures Co., Inc., and their subsidiary companies filed answers to the Government interrogatories on Friday. U. A. answered all questions except one which referred to net income of the company for four years. Warner Bros. and Columbia's answers covered the first

(*Continued on page 3*)

"Pinocchio" Enjoys Capacity Business

Grossing approximately $30,000 for four days ending Sunday, "Pinocchio's" second week at the Center theatre appears certain to better its opening week's mark. It garnered about $45,000 for the initial week, after being hit by last Wednesday's snowstorm, as were all Broadway attractions. Business on Friday and over the week-end was at capacity at the Center with extra shows having to be added.

Schaefer Appoints J. J. Nolan as Chief Of Studio for RKO

J. J. Nolan was appointed vice-president of RKO in charge of the studio by George J. Schaefer, president, prior to the latter's departure for New York over the weekend.

Nolan's duties will be executive and administrative, apart from those of Harry Edington, in charge of high budget productions, and Lee Marcus, in charge of medium budget pictures. The RKO studio setup thus becomes similar to that at Paramount, where Y. Frank Freeman heads the studio and William LeBaron is in charge of production.

Nolan started with the old Robertson-Cole Co., RKO predecessor, 20 years ago. He served in the publicity and accounting departments and was assistant secretary of the company at the home office. He was transferred to Hollywood in 1934 as assistant secretary and was made assistant to Schaefer last year.

Goldwyn Seeking Korda Examination

Motion for a pre-trial examination of Alexander Korda on Feb. 23 in connection with Samuel Goldwyn's action to have his United Artists releasing contract terminated was filed in U. S. District court here Friday. Schwartz & Frohlich, United Artists counsel, will oppose the motion.

California Orders Bioff's Extradition

Hollywood, Feb. 18.—It was announced in Sacramento today that Gov. Olson, prior to his departure for Oregon, had signed extradition papers returning William Bioff, I. A. T. S. E. leader, to Chicago to complete his reported unfinished jail sentence on a charge dating back to 1922.

Chicago Parley Set By National Allied

CHICAGO, Feb. 18.—Jack Kirsch, president of Allied of Illinois, has accepted the invitations of Allied States to hold the annual national convention in Chicago early next Summer.

The national board of directors recently voted to hold the convention in Detroit, but Michigan Allied subsequently decided to relinquish it to a city where a greater attendance would be assured.

Producer Schulberg Returns to Columbia

B. P. Schulberg will return to Columbia as a producer under a contract signed over the weekend.

Schulberg was in charge of Paramount production at one time, going with Columbia as a producer in 1935 and subsequently returning to Paramount for several years.

U. S. Films Suffering New Jolts in Foreign Markets

Foreign market complexities, embracing both the total loss of foreign outlets for American films and the imposition of new restrictions reducing the revenue to be derived from markets which are still open, continue to increase rather than diminish in number.

At least eight leading foreign markets either have adopted or have proposed serious restrictions on American film trade. These are in addition to the almost total loss of all of central Europe and Italy as markets for American films.

The situation is becoming increasingly serious in South America, which some industry executives had looked to for increased business to offset European losses.

Argentina has proposed several serious tax measures which have been protested as "discriminatory" by American distributors. The situation was made doubly serious by the apparent breakdown of negotiations between that country and the United States on a reciprocal trade treaty.

Brazil and Peru followed the lead of Argentina with recent proposals for increased taxation of American films, and Chile enacted new restrictive legislation last Fall.

The impounding by Great Britain of 50 per cent of American film revenues is the most serious current restriction in Europe. New decree legislation proposed by France would subject film revenue to new taxes, one of which would be applied to the production of propaganda films.

The industry has protested the proposed legislation and observers here feel that France may not risk the possible loss of American good offices at

(*Continued on page 2*)

Wage Parley Fails; Unions Won't Budge

More Meetings Expected; Extra Data Needed

HOLLYWOOD, Feb. 18.—With both sides clinging steadfastly to their individual positions, the 10 per cent wage increase controversy between the producers and I.A.T.S.E. studio unions remained in a bog over the week-end.

Negotiators met for three hours Thursday and continued their discussions Friday, but neither meeting yielded any evidence of an agreement over the wage dispute. Friday's meeting ended with the press receiving a statement signed by the producers' committee, headed by Y. Frank Freeman. It read:

"Meeting adjourned until such time as both groups have prepared more detailed data for the next meeting."

Neither side provided any indications as to the date of the next meeting.

William Bioff, I.A.T.S.E. leader and chairman of the Conference of American Federation of Labor Studio Unions, said that the unions are determined not

(*Continued on page 2*)

IA's Membership Raised to 40,000

Membership of the I. A. T. S. E. has increased to 40,000 in 840 locals in the United States and Canada, it was reported at the annual executive board meeting in Miami last week. The biennial convention was set for the week beginning June 2 in Minneapolis. About 900 delegates and officials will attend. The executive board will meet during the preceding week to arrange the convention program.

Louis Krause, general secretary-treasurer, will leave for Minneapolis this week to arrange for convention headquarters.

George E. Browne, president, and other officials are remaining in Miami for a few days. Among those who attended the executive board meeting were seven vice-presidents, including John P. Nick, St. Louis; William P. Covert, Toronto; Harland Holmden, Cleveland; Richard F. Walsh, Brooklyn, N. Y.; Floyd M. Billingsley, San Francisco; James J. Brennan, New York City, and Roger M. Kennedy, Detroit. Joseph D. Basson, president of New York Local 306, and other local heads also attended.

◀ Purely Personal ▶

George J. Schaefer, RKO president, returned from the Coast over the weekend.

•

Bernard G. Kranze, RKO branch manager in Albany, has returned to his post after a visit here during which he conferred with Si Fabian and Walter Reade.

•

John Fry, treasurer of the RKO Palace, Columbus, O., is the father of a son, born last week to Mrs. Fry at the Mercy Hospital, Columbus.

•

William A. Scully, Universal vice-president and distribution head, left for a three weeks' vacation in Florida over the weekend.

•

Kenny Washington, Negro All-American halfback at UCLA, has signed a contract to play in films designed for Negro audiences.

•

Monty Banks, 20th Century-Fox director, and Gracie Fields, who arrived from Europe last week, arrive on the Coast today.

•

Austin C. Keough, Sam Dembow, Jr., and M. F. Gowthorpe of Paramount are expected back from Florida tomorrow.

•

Fred W. Lange, general foreign representative for Paramount, will arrive from Europe on the *Clipper* Wednesday.

•

Margaret Lindsay, with her mother, Mrs. John Kies, is visiting friends and relatives in Dubuque, Ia.

•

Alan F. Cummings, manager of M-G-M branch operations, is in Florida for a month.

•

Charles Kessnich, M-G-M district manager at Atlanta, observes a birthday today.

•

Jack Davis, English exhibitor visiting here, left over the weekend on a Havana cruise.

•

Irving Dollinger, Linden, N. J., exhibitor, is in Miami en route to Havana.

•

Cliff Work, Universal studio head, will arrive from the Coast today.

•

Lou Brandt left for Florida over the weekend with his mother.

•

Lee Newbury, New Jersey exhibitor, is on a Southern cruise.

•

Will H. Hays returned from the Coast over the weekend.

•

Bob Mintz has left on a fishing trip to Pirate's Cove, Fla.

•

Samuel Rinzler of Randforce circuit is in Miami.

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Trade Chiefs Give Catholic Drive Aid

Additional names of those who have accepted invitations to serve on the Motion Picture and Amusement Industries Committee to aid the 1940 drive for Catholic charities in the New York archdiocese were announced over the week-end by Chairman J. J. O'Connor as follows:

Harry Brandt, Brandt Theatres; Jack Alicoate, *Film Daily;* Max Cohen, Cinema Circuit; Maurice Kann, *Boxoffice;* John Kane, Columbia Pictures; John Murphy, Loew Theatres; Jack O'Connell, Republic Pictures; Phil Reisman, RKO Pictures; Herman Robbins, National Screen Service; W. F. Rodgers, M-G-M; George J. Schaefer, RKO Corp.; George Skouras, Skouras Theatres, and W. G. Van Schmus, Radio City Music Hall.

Zukor, Hicks Feted By South Americans

Adolph Zukor, Paramount board chairman, and John W. Hicks, vice-president and foreign department head, currently on a combined business and good will tour of South America, will leave Buenos Aires for Sao Paulo, Brazil, this week, according to word received at the home office.

A number of trade and official receptions, including a meeting with the President of the Argentine Republic, were given in their honor during their stay in Buenos Aires. They also met with the company's salesmen, bookers and other representatives in that city.

Their present itinerary will bring them to Rio de Janeiro on Feb. 27, from where they will sail for New York on the *Uruguay*, March 6, arriving here March 18.

Industrial Films Not for Theatres

Industrial films which Paramount is preparing to produce will not be exhibited in theatres, Lou Diamond, head of the company's short subjects department, which will have charge of the new productions, said Saturday.

The films will be designed primarily for showing to radio broadcast audiences, as is now done several times weekly in advance of Lucky Strike programs, Diamond said.

Subjects of any length from one minute to one hour's running time will be produced.

Western Electric Issues '39 Report

Western Electric's interest in subsidiaries was revalued on Dec. 31, 1939, to include, among other things, provisions for a reserve of $1,750,000 to cover possible losses to Electrical Research Products, Inc., which may result from the European war.

The annual report of the company showed total investment at the end of 1939 of $15,833,524 in Erpi. Western Electric report showed net profit at the close of the year of $16,476,000.

Party for Hal Wallis

Warners will give a cocktail party tomorrow evening in the Carpenter Suite of the Waldorf-Astoria for Hal Wallis, associate production executive, and his wife, Louise Fazenda.

To the Rescue

Albany, Feb. 18.—John Cooney's Union Square, Pittsfield, Mass., serviced mostly by Boston exchanges, was saved from a dark theatre here Thursday as a sidelight to the storm that swept the Eastern seaboard.

Boston exchanges could not get prints through by truck or even through the usually reliable trains, so Stanley Goldberg, Columbia booker here, drove over Thursday afternoon through the heavy drifts, with the needed film.

March 16 Premiere For 'Virginia City'

"Virginia City," new Warner Bros. color film, which co-stars Errol Flynn and Miriam Hopkins, will have its world premiere simultaneously in two Nevada towns, Reno and Virginia City, on March 16.

A special 16-car Southern Pacific train will carry 250 Hollywood stars, newspaper correspondents and executives from Los Angeles to Reno where they will be tendered a reception by Governor Carville.

A Western parade will follow with the guests proceeding next to Virginia City, 22 miles away, to be present at the initial performance of "Virginia City" in the town's single theatre. The premiere will conclude with the "Virginia City Comstock Ball" to be held in the State House Auditorium in Reno.

Monogram Advance Playdates at Record

Advance playdates for Monogram product for the next eight weeks, which include five weeks of the "March for Monogram" drive, surpass the company's all-time figures for a like period, according to W. Ray Johnston, president. The figure exceeds by $1,200 the record established last May.

On the Coast, Monogram has acquired additional space in the Talisman studio to house the Paul Malvern unit.

Paramount Board's Meeting on Feb. 29

Monthly meeting of the Paramount board of directors has been scheduled tentatively for Feb. 29, due to the fact that the customary meeting date falls on Washington's Birthday.

Barney Balaban, Paramount president, is expected back from a Florida vacation in time for the meeting. Thereafter, Stanton Griffis, chairman of the executive committee, will leave for a month's vacation in Florida.

Review Board Files

Albany, Feb. 18.—Membership incorporation papers have been filed by the National Board of Review of Motion Pictures, Inc., by John R. Davies. Three concerts licensed were: Randolph Enterprises, Inc., Buffalo, by Harry Halslag, Herman H. Hendel, Jr., and James Dufrane; Youngstown Theatre Corp., New York, by Gertrude Schorr, Marian Schoen and Lilyan Manilla, and Kay Theatres Corp., Manhattan, by Aaron W. Hoenig, Rebecca Rodoff and Blanche Weiss.

U. S. Films Suffering Alien Market Jolts

(*Continued from page* 1)

this time by enactment of a drastic trade decree over official protests.

Japan's restrictions, increasingly severe during the past year, are expected to become more serious before they are moderated. The recent ending of the United States-Japanese trade treaty is viewed by some industry foreign authorities as increasing the possibility of a total loss of that market.

Serious fiscal situations within foreign nations account for the bulk of the restrictive measures hitting films. This is especially true of Central Europe, Italy, Spain, Japan and, to a lesser degree, Britain and France. Nations without foreign exchange, or those with it but under the necessity of making war-time purchases, can not or will not permit currency withdrawals for films.

Wage Parley Fails; Unions Won't Budge

(*Continued from page* 1)

to yield to the producers' demands to relinquish the 10 per cent wage boost which was granted last November.

Bioff explained:

"We are listening to the producers' side of the story and will hear them out. The union stand remains the same, and any sacrifices to be made must come from persons getting $500 weekly and upward. The little fellow is going to keep his 10 per cent raise."

Producers were reported to have spent Thursday and Friday sessions presenting audits showing a decrease in their foreign and domestic grosses.

At the time the 10 per cent increase was granted to the unions, who threatened a nation-wide strike, both sides agreed to submit the wage issue to arbitration if they themselves were unable to reach an amicable settlement.

Vocafilm Anti-Trust Action Is Dismissed

The anti-trust suit of Vocafilm Corp. of America against A. T. & T., Western Electric and Erpi for $65,000,000 damages was dismissed Saturday with prejudice by Federal Judge Goddard on stipulation of the parties. The plaintiff had charged the three defendants with driving it out of the business of manufacturing and selling motion picture accessories.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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First Runs Raise Chicago Quarrel

By WILLIAM F. CROUCH

CHICAGO, Feb. 18.—An effort is being made to get additional first run product for the Oriental when "Gone With the Wind" completes its run. Aaron Jones of Jones, Linick & Schaefer is in New York conferring with major company officials in the hope of getting "Grapes of Wrath," "Pinocchio" and other such product for showing immediately after the Selznick-M-G-M picture completes the Loop run.

Considerable difficulty may be encountered, however, as Balaban & Katz have penciled in "Grapes of Wrath" for showing at the Chicago Theatre March 1 and the RKO Palace is expected to play "Pinocchio" when the local release date is announced.

The Telenews is the latest addition to the ranks of Allied Theatres of Illinois, according to word from Jack Kirsch, president of the organization. The Telenews is Chicago's only newsreel theatre.

"Abe Lincoln in Illinois" goes into the RKO Palace here some time in April. The stage play, also starring Raymond Massey, is showing currently at the Grand Opera House.

Balaban & Katz plan to remodel the screening room in their offices in the Chicago Theatre Building.

Majors Answer Interrogatories

(*Continued from page* 1)

24 questions interposed by the Government.

The group of questions answered by Warner Bros. and Columbia covered the financial set up of the companies, their interest in other concerns and the names of stockholders and creditors. Several questions which referred to the names of creditors, gross and net profits, and a list of stockholders were not filed but will be given to the Government for its confidential use.

U. A. stated that 20,000 shares out of an authorized issuance of 32,000 shares are held by five companies and individuals equally. Its gross income for the fiscal years of 1935 through 1938 was listed as follows: 1935—$10,554,521; 1936—$9,707,990; 1937—$12,909,149; 1938—$11,746,985. An itemized statement of the 19 films distributed by U. A. during the 1936-37 season with the number of exhibitions of each picture and the amount grossed also was set forth.

United Artists also revealed that it had no outstanding fixed indebtedness nor current loans against it. It further reported that the only company it has any ownership interest is in Walter Wanger Productions. U. A. holds 12,500 out of 15,000 shares of preferred stock and 1,200 Class B common shares.

Columbia stated that its fixed indebtedness totalled $1,125,000 while Warner Bros. treated the question as confidential. Warner Bros. listed 38 companies in which it holds a financial interest in response to a question to which Columbia and U. A. stated that they had none.

Notes from the Studios

HOLLYWOOD, Feb. 18.—Sequels caught Hollywood's fancy in production news this week, as RKO announced that David Butler would produce and direct Kay Kyser and his orchestra in a sequel to "That's Right, You're Wrong," on which Butler performed similar duties.

Other sequels planned are M-G-M's followup on "Boys Town," with Spencer Tracy and Mickey Rooney, for which Father E. J. Flanagan and his famed boys' refuge will get an announced sum of $100,000; and the same studio's followup for "Northwest Passage," plans for which are being held in abeyance until the first film has been released.

Norman Taurog, who directed "Boys Town" will direct Tracy and Rooney again. J. K. McGuinness will write the story, which John W. Considine, Jr., will produce.

Columbia will conduct a nation-wide search for a girl to play the title role in the "Tilly the Toiler" series, taken from Russ Westover's King Features comic strip. Robert Sparks will produce the first, to start in May. . . . Fred MacMurray and Madeleine Carroll will be costarred in Paramount's "There's Always Juliet," John Van Druten's play. They have been paired in the previous "Cafe Society" and "Honeymoon in Bali." Virginia Van Upp will adapt "Juliet."

A new co-starring team at Paramount will be Barbara Stanwyck and Don Ameche in "The Night of January 16th," which Anthony Veiller will produce and Mitchell Leisen will direct.

John Hubbard, Adolphe Menjou, William Gargan and Mary Astor have been set for Hal Roach's "Turnabout," Thorne Smith novel, which starts shooting next week. Hal Roach will produce and direct. . . . Wallace Beery draws the top role in "Combat Car," original story by Lawrence Kimble of mechanized cavalry units of the United States Army. J. Walter Ruben will produce for M-G-M.

The Mills Brothers have been signed by International Roadshows to star in an all-Negro film to be produced by Goldberg and Port. . . . Charlotte Greenwood and Jack Oakie have been added to the cast of "Young People," Shirley Temple's next vehicle at 20th Century-Fox.

William T. Orr, recently signed by Warners from the "Meet the People" revue, has been loaned to M-G-M for "The Mortal Storm." Robert Stack has been borrowed from Universal for an important role in the same picture.

Forming Canadian Club of Pioneers

TORONTO, Feb. 18.—Clair Hague, Universal representative at Toronto and in the film business since 1901, has been made chairman of the organizing committee of the Canadian Pioneer Film Club, membership in which is restricted to those who have been in the trade for 25 years or more.

Included on the committee are: Louis Rosenfeld, Columbia; James P. O'Loghlin, 20th Century-Fox; H. M. Masters, United Artists; Leo Devaney, RKO of Canada; Oscar Hanson, Empire; E. H. Wells, Canadian Film Board of Trade; and the following exhibitors: Sam Sternberg, Herbert Allen, Jake Smith, Ben Cronk, Charles Stephenson and Frederick Pursel, and Sidney B. Taube, with Ray Lewis, acting secretary.

Zanuck Will Film "I Married a Nazi"

Hollywood Feb. 18.—Convinced by Broadway box-office reaction to "Grapes of Wrath" that the public wants topical themes realistically treated, Darryl F. Zanuck, 20th Century-Fox production chief, has decided to pull no punches in making "I Married a Nazi" and will treat it equally as frankly. The story, by Oscar Schisgall, New York novelist, ran serially in Liberty magazine. George Sanders, who played in "Confessions of a Nazi Spy" for Warners, will have the part of the Nazi husband.

Admits Taxes Eat Up High Film Salaries

WASHINGTON, Feb. 18.—Representative Lyle Boren of Oklahoma, who last year criticized salaries paid to film company officials as excessive, admitted in the *Congressional Record* yesterday that the picture men had little of the money left after they paid income taxes.

He made his remarks in inserting a letter from Manny Strauss, New York, calling attention to the State Supreme Court decision that the salaries paid Loew executives were not only fair but profitable to the stockholders.

Free Odeon Shows For Soldiers Fought

LONDON, Feb. 18.—Revolt among London exhibitors is brewing over the proposal by Oscar Deutsch, head of the Odeon Circuit, to open the Odeon in Leicester Square on Sunday afternoons with free shows for service men.

Under the plan the War Office and camp authorities would issue free tickets. Odeon has applied to the London County Council for a provisional license but the entertainments committee will consult with the trade before a decision.

UA Gets Denis Film

United Artists has acquired the world distribution right, outside the United States and Canada, to the feature length film which will be prepared by Armand Denis and his wife, Leila Roosevelt. The two returned last week from an Asiatic photographic expedition.

RKO Signs Colman

HOLLYWOOD, Feb. 18.—Harry Edington, RKO executive producer, has signed Ronald Colman to co-star with Ginger Rogers in "Good Luck," comedy drama by Sacha Guitry. Production will start in a few weeks, with George Haight as producer from a screenplay by Allan Scott.

Mexico Bans Films Of Religious Theme

BY JAMES LOCKHART

MEXICO CITY, Feb. 18.—Pictures with religious themes will be banned in Mexico, it was decided by the new board of censors, which took office when the Government's publicity department was abolished in January. With the overruling of the approval by the old board of the French production, "St. Theresa of the Child Jesus" has been overruled. The board held the film is religious propaganda.

A private company to finance producers, the first of its kind in Mexico, has been organized here by H. F. Wallenstein. The company has a capital of $65,000 and is to start in March.

Mexico's most expensive picture, "Tiempos de Don Porfirio" ("Don Porfirio's Days") which cost $40,000, has been finished here and is to be released in March.

The National Cinematographic Workers Union announces a membership of 2,000 who enjoy a minimum daily wage of $1.35, twice that of most workers in Mexico.

China, eager for Mexico as an outlet for her pictures, has exhibited here the first film spoken in Chinese and made in China. The picture is built around the life and exploits of Generalissimo Chiang Kai Shek.

Frisco Houses Sign New Union Contract

SAN FRANCISCO, Feb. 18.—New two-year contract covering 130 I. A. T. S. E. ushers, doormen and cashiers, with pay increases in some classifications, has been signed with seven downtown first run theatres by Theatrical Employes' Local B-18. Cashiers and doormen are raised five cents an hour to 57½ and 55 cents respectively.

Other gains involve provision for overtime to begin after 42 hours instead of 48 hours, and agreement that employes will work in shifts of no less than three hours. Previously three-hour minimum day was in effect, with theatres permitted to break down shift into three one-hour periods.

Talley Visits Pope

ROME, Feb. 18.—Truman H. Talley, general manager of Movietone News, was received by the Pope at the Vatican in private audience last Thursday. Talley has been in Europe two months on a survey of newsreel coverage and plans to sail for New York early this week.

Ross Names Ellsworth

Thomas B. Ellsworth has been appointed advertising and publicity director of Ross Federal Research Corp. He formerly was assistant advertising director and editor of the Ross Federal house organ.

F. W. C. Books 'Wings'

L. J. Schlaifer, vice-president and western general sales manager of United Artists, has closed a deal with Spyros Skouras for the showing of Alexander Korda's "The Lion Has Wings" over the entire Fox West Coast circuit.

'Wind' Holds Denver Pace With $20,000

DENVER, Feb. 18.—"Gone With the Wind," in its third week, drew $20,000 at the Orpheum.

Estimated takings for the week ending Feb. 14:

"The Fighting 69th" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
"Of Mice and Men" (U. A.)
BROADWAY—(1,040) (35c-40c-50c-68c) 7 days, roadshow. Gross: $4,500. (Average, $2,500)
"The Light That Failed" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $6,500. (Average, $6,500)
"Little Old New York" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"Gone With the Wind" (M-G-M)
ORPHEUM—(2,600) (75c-$1.12-$1.50) 7 days, 3rd week. Gross: $20,000. (Average, $9,000)
"The Invisible Man Returns" (Univ.)
"Music in My Heart" (Col.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"His Girl Friday" (Col.)
"Fugitive at Large" (Col.)
RIALTO—(878) (25c-40c) 7 days, "His Girl Friday," 3rd week. Gross: $2,500. (Average, $1,750)

Bill Attacks FCC's Rule on Programs

WASHINGTON, Feb. 18.—Legislation depriving the Federal Communications Commission of all authority over broadcasting programs was introduced in the House Friday by Congressman J. William Ditter (Rep., Pa.).

The bill would amend the communications act in a number of respects. The measure also would limit the President's authority to take over stations in times of emergency to cases of imperative military need.

The minimum license period for broadcasting stations would be fixed at three years, and a five-year maximum adopted, and revocation of license would be permitted only after a hearing, reversing the present procedure.

220 Pre-Releases Fixed for 'Wrath'

Total of 220 pre-release dates have been set for "Grapes of Wrath," 20th Century-Fox film. About 100 bookings were set in the last three days of last week. The picture will have two-theatre runs in four cities, in addition to the three-theatre engagement in Los Angeles. It will be the most widely advertised production ever released by the company, according to Charles E. McCarthy, advertising and publicity chief.

End Plagiarism Suit

Trial of a $100,000 plagiarism suit of Edward A. Lynch against Warner Bros., First National Pictures and Joe E. Brown ended Friday when Federal Judge Galston reserved decision. Suit claims infringement of plaintiff's book, "When Homer Comes Marching Home," in the film, "The Son of a Sailor."

RKO to Film 'Carrie'

RKO has purchased the screen rights to Theodore Dreiser's best selling novel, "Sister Carrie."

Feature Reviews

"Free, Blonde and 21"

(20th Century-Fox)

HOLLYWOOD, Feb. 18.—Second in the "Hotel for Women" series, this film provides highly melodramatic material patterned against the lives of a group inhabiting a girls' hostelry. The girls themselves are appealingly pretty, the story less so.

As "Nellie," the maid, Joan Davis provides the comedy and a great deal of the film's pace. Sol Wurtzel, as executive producer, has given the picture production value in the form of settings designed to indicate luxury of sorts. The story involves a selfish young woman, portrayed by Mary Beth Hughes, another girl more amenable to the social niceties, Lynn Bari, romance and murder.

Henry Wilcoxon is cast as the doctor in love with Miss Bari, Robert Lowery as his assistant, infatuated with Miss Hughes, and therefore in trouble from the time she simulates suicide to gain publicity and shame a married man of her acquaintance. Also seen are Alan Baxter, as a murderer, Katherine Aldridge, Helen Ericson, and Chick Chandler.

The original screenplay was the work of Frances Hyland, with Ricardo Cortez directing.

Running time, 75 minutes. "A."* WALTER SELDEN

"Outside of the 3-Mile Limit"

(Columbia-Darmour)

HOLLYWOOD, Feb. 18.—Larry Darmour's "Outside of the Three-Mile Limit" is a rapidly moving action melodrama based on the Secret Service's attempts to find the trail of counterfeit money being released through a gambling barge off Southern California.

One of the series of Jack Holt vehicles for Columbia release, the film presents the veteran film star in a well-rounded role, calling for action as well as acting, as a Government man who works his way into the confidence of the gambling boat operator and manages to live through a mutiny and other adventures.

Supporting Holt are Harry Carey, Sig Rumann, Eduardo Ciannelli, Donald Briggs, Irne Ware, Dick Purcell, Ben Weldon, Paul Fix and George Lewis.

The motion picture was directed by Lewis D. Collins, who stressed a swift pace in the screen play of Albert DeMond. It is from a story by Eric Taylor and DeMond.

Running time, 64 minutes. "G."* VANCE KING

"Seventeen"

(Paramount)

HOLLYWOOD, Feb. 18.—The fine, fresh tone and spirit of Booth Tarkington's perpetually popular story about a small town American boy aged 17 is pleasantly preserved in this up-to-date but unspoiled version. It offers persuasive Jackie Cooper in the leading role supported in excellent fashion by Betty Field, as the girl from the city; Otto Kruger, as the boy's father; Ann Shoemaker, impressively effective as the mother, and Norma Nelson, as the little sister who frequently steals the picture from all hands. The film is a commanding contribution to the never too plentiful and constantly profitable supply of wholesome family entertainment.

The story passed through many hands on its way to the screen but lost none of its charm. The screenplay is by Agnes Christine Johnson and Stuart Palmer from a play based on the Tarkington story by Stuart Walker, Hugh Stanislaw Strange and Stanford Mears. Walker also produced the picture, with Louis King directing his well balanced cast in expert and understanding manner. It's a nice job all around.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

"The Baker's Wife"

(The Baker's Wife, Inc.)

This French importation elaborates humorously on an adulterous incident. It might be considered objectionable by those who take moral offense to situations such as are included in the film.

Saucy and gay in a French way, the film will be accepted by many in the Rabelaisian spirit in which it was meant by Marcel Pagnol, director, who adapted the story and also wrote the dialogue. English titles by John Erskine are witty and plentiful, and rather more discreet than the dialogue itself.

There is splendid acting by Raimu, a Chaplin-like exponent of genial serio-comedy. Ginette Leclerc is the wife, and she has French "oomph." Capable characterizations are provided by others.

Running time, 138 minutes. "A."* ALFRED FINESTONE

**"G" denotes general classification.*
**"A" denotes adult classification.*

Radio Brevities

ONE of the principal problems of television unions will be securing adequate payment for rehearsal time, according to Ruth Richmond, executive secretary of Chorus Equity.

"From 10 days to two weeks rehearsal is usually allowed for a 15 or 30 minute telecast, so we have a field in which rehearsal time and rehearsal conditions are of immense importance." Miss Richmond also points out that costumes are injured by heat from the powerful lights and suggests that some allowance should be made for them.

Publication of the official text of inter-union agreement providing for a six-month truce in the jurisdictional fight reveals that A.F.R.A., as well as Equity, has reserved its right for future claims to jurisdiction. All agreements with television stations must provide for a closed shop, the text also discloses.

Films in Classrooms

Methods of classroom teaching by motion pictures will be described by Prof. Lena Beyer, of the New Jersey State Teachers College on Wednesday at 3:30 P. M. over WHOM.

Personalities in the News

Herbert B. Swope, CBS trade news editor, is in Palm Beach for a two week vacation. . . . Maurice Hart, emcee on WMCA's "World's Fairest Music" show, is doing the continuity and commentary on "Finland Speaks," a film being produced here by Hoffberg. Vincent Hart, chairman of the M.P. Division of the Finnish Relief Fund, was heard on the program Saturday. . . .

B. S. Bercovici, WINS commentator left over the weekend for a one-week vacation. . . . A. A. Schecter, NBC news and special events director, speaks before a joint meeting of the Poor Richard Club and the Philadelphia Club of Advertising Women tomorrow in Philadelphia. . . .

George Heller, executive secretary of the N. Y. local of A.F.R.A., returned from San Francisco over the weekend. . . . Louis Hall, of the "Orphans of Divorce" cast, was married Friday to Miss Kay Collins.

Film Splits Noted Radio Team

One of radio's oldest names, Jones & Hare, will disappear next month when Marylin Hare goes to the Coast to make a film for Republic. Billie Jones and Ernie Hare have been known to vaudeville for about 25 years and to radio since its earliest days. Miss Hare last year stepped into the spot left vacant by the death of her father. Auditions will be held for three weeks at WMCA to provide a new partner for Jones. Applicants must be under 25 years with ability to sing both ballads and swing.

NBC Affiliates at New High

WSAV, Savannah, has joined the NBC web as a supplementary station in the southeastern group to become the 184th affiliate, the largest total in NBC history. WSAV operates on 100 watts, full time, on 1,310 k.c. Arthur Lucas is president and Harben Daniel, general manager.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 36 NEW YORK, U. S. A., TUESDAY, FEBRUARY 20, 1940 TEN CENTS

4A Aids Drive To Build Stage Show Unions

Support of Screen Actors Guild Is Expected

To aid the American Guild of Variety Artists to unionize performers in motion picture stage presentation houses, the Associated Actors and Artistes of America, parent body of all actor unions, has passed a resolution requesting all branches to instruct their respective memberships not to work in the vaudeville jurisdiction except with paid-up A.G.V.A. members.

The move will affect all fields but will be particularly applicable to personal appearance tours by screen stars. If the Screen Actors Guild approves the resolution, every theatre with a stage show policy would be affected.

A.G.V.A. is now seeking working agreements with the American Federation of Musicians and the Hotel and Restaurant Workers International Alliance for aid in organizing the night club and hotel fields.

A.G.V.A. made a tentative approach to theatre circuits several months ago in an attempt to obtain adoption of a code of fair practices. At that time, circuit executives took the stand that

(Continued on page 2)

Suit Against RCA Attacks RKO Loan

RCA, Westinghouse Electric and Manufacturing Co., General Electric Co. and 24 officers of these companies were named defendants yesterday in a stockholder's suit filed in the U. S. District Court by J. Webster Manning, holder of 1,000 shares of RCA common stock.

The complaint, in two causes of action, claims waste and mismanagement are responsible for losses of approximately $270,000,000. RCA officers are charged with transferring 6,500,000 shares of RCA common stock to General Electric and Westinghouse in return for the alleged illegal transfer to it of rights to manufacture and sell certain radio apparatus.

A second charge is made that RCA loaned $11,600,000 to RKO in November, 1931, secured by a 10-year debenture issue at a time when RCA directors allegedly knew or should have known that RKO was about to file reorganization proceedings. A consolidated stockholders' suit is now pending in the N. Y. Supreme Court.

Rain Storm Jars Boxoffices After Strong Week-End

The second storm in seven days jarred the Broadway boxoffices yesterday but did not create the same damaging effect caused by the blizzard. Business along Times Square was moderately good during the day as many sought shelter from the torrent but evening grosses slumped. The weekend gross, aided by good weather, was excellent.

"Of Mice and Men," with a stage show, opened strong at the Roxy with 56,812 paid admissions for the first three days and the film is set for at least three weeks. It grossed an estimated $33,000 for the three days.

At the Music Hall, "I Take This Woman," plus a stage show, garnered an estimated $50,000 in the first four days. "Abe Lincoln in Illinois" opens Thursday. At the Paramount, "Sidewalks of London," with a stage show headed by Dorothy Lamour and Barry Wood took an estimated $17,000 over

(Continued on page 2)

Bioff to Surrender; Buzzell Arrested

Los Angeles, Feb. 19.—Apparently shifting tactics, William Bioff, I.A.T.S.E. leader facing extradition to Chicago on a 1922 conviction, late tonight applied for and received permission from Federal court here to leave its jurisdiction.

This move, it was said, may be a prelude to Bioff's return to Illinois

(Continued on page 3)

Cliff Work Faces Trust Quiz Today

Cliff Work, Universal studio head, will be queried today by Federal attorneys in their series of current examinations of defendant executives before trial of the New York anti-trust suit.

Work arrived from the Coast yesterday and plans to leave New York at the end of the week.

Ned E. Depinet of RKO is scheduled to be examined tomorrow by the Government attorneys.

Barrett Services Set for Tomorrow

Funeral services for Wilton Agnew Barrett, 54, executive secretary of the National Board of Review of Motion Pictures, will be held tomorrow at the Riverside Memorial Chapel. He died Sunday of a heart attack.

Barrett joined the staff of the Board shortly after its organization by the Peoples Institute in 1909. He graduated from the University of Pennsylvania in the same year. He was appointed executive secretary in 1923.

An opponent of film censorship, Barrett organized the review committee work of the Board. He also organized and directed the Committee on Exceptional Photoplays of the National Board.

Surviving are his widow, Mrs. Frances W. Cahoone Barrett, and a daughter, Mrs. Rivard Smith.

Studios in Spirited Bidding For Stories, Reports Wallis

There is spirited bidding among the film companies for plays, novels and even unpublished stories that might make outstanding films, said Hal B. Wallis, Warners' associate executive in charge of production, who arrived yesterday from the Coast.

Wallis mentioned several recent Warner acquisitions on which the bidding was highly competitive. Among them he included "The Male Animal," comedy by James Thurber and Elliott Nugent, for which more than $100,000 reportedly was paid; "Quietly My Captain Waits," unpublished novel by Evelyn Eaton, which was bought in galley proof form, and "Captain Horatio Hornblower," novel by C. M. Forrester, English writer, who will prepare the screenplay.

Wallis will see "The Male Animal" besides other plays which are under consideration as possible purchases.

Warners will make about the same number of films next season as is scheduled for this year, Wallis said. This season's program includes 48 pictures.

Product will continue to be diversified, with action the keynote. Warners have found biographical and realistic themes successful and will continue to make them, said Wallis. "City for Conquest," forthcoming film starring James Cagney and Priscilla Lane, will have realism in the plot, which shows the impact of big city life on a group of New Yorkers.

Wallis plans to remain here 10 days or two weeks. He is accompanied by his wife, Louise Fazenda.

Rush Majors' Trust Replies To Washington

Experts to Study Papers Brought by Farnsworth

William P. Farnsworth, head of the N. Y. Anti-Trust Division, hurried to Washington yesterday immediately upon receipt of the majors' replies to Government interrogatories for a conference with officials which is expected to last one week.

Farnsworth speeded the replies personally to Washington to submit them to an assembled staff of Government experts and statisticians for their study of figures revealed by the answers.

Government attorneys at previous court hearings showed a strong desire to compare the majors' figures with those privately gathered by field men.

Answers were confined to the Government's first 24 interrogatories which refer, in the main, to the financial structure of the companies.

M-G-M, Paramount and Twentieth Century-Fox served their answers yesterday with a request by the first two companies that the answers be withheld from the public until March 10. United Artists, Columbia, Warner Brothers and RKO filed their answers late last week.

Universal today is expected to complete the list of defendants required to file with a similar request for temporary confidential treatment. Twen-

(Continued on page 3)

Republic Business 25% Up—Grainger

Hollywood, Feb. 19.—James R. Grainger, Republic president, here for a regional sales meeting, today said a system of quarterly sales meetings in various parts of the country would be continued because it gave the studio a better guide for future production and made for a flexible program.

Grainger, who with Herbert J. Yates, board chairman, is meeting with Western division managers, declared Republic business as of February 1 is 25 per cent over last year's figure at that time and by the end of May 8,500 minimum contracts will have been signed. The present number of contracts is 7,633, he said.

"Our system of quarterly meetings," he added, "has given us many advantages in laying plans for subsequent quarter-year periods. Instead of meeting once a year and thrashing

(Continued on page 3)

◂ Purely Personal ▸

ED KUYKENDALL, president of the M. P. T. O. A., late last week became a grandfather when a boy was born in Columbus, Miss., to his daughter, Geraldine, wife of Edward Keeton. This is the first grandchild of Mr. and Mrs. Kuykendall.

•

Jack Shaindlin has been engaged by Tom Mead, director of Universal Newsreel, to compose the score and direct an orchestra for three "Stranger Than Fiction" and three "Going Places" short subjects.

•

Janet Martin, publicity head at the Walt Disney Studio, and Larry Lansburgh, assistant director at the cartoon plant, were married last week in Yuma, Arizona.

•

Sam Rosenblatt, operator of the Palace, Schenectady, contracted the flu while vacationing in Florida and will remain at the resort another month.

•

Sam Lefko is due back soon at his desk at the RKO exchange in Philadelphia after an emergency appendix operation in Pottsville.

•

James Roosevelt will be in Philadelphia Thursday to address the B'nai B'rith Women's Council at the Penn Athletic Club.

•

Lawrence Reid, editor of *Motion Picture Magazine,* flies to Hollywood Thursday for a brief visit at the studios.

•

F. T. Murray, Universal branch operations manager, is on a three-week tour of the company's Western, Southern and Eastern exchanges.

•

I. J. Schmertz, 20th Century-Fox manager in Cleveland, has returned from Florida.

•

William F. Rodgers, M-G-M general sales manager, is due from the Coast March 5.

•

Sam Nathanson, president of Coast Pictures, Hoffberg affiliate, is in town.

•

Ellis Shafron, salesman at M-G-M's St. Louis branch, has returned from a California vacation.

•

June Duprez, London Films star, leaves for the Coast today.

•

Harry Goetz, Max Gordon, Harry Thomas, Dwight Wiman, Shirley Ross, Jack Goetz, Jack Haley, Joshua Logan, Tom Loach and Ken Dolan lunching at Bob Goldstein's Tavern yesterday.

•

Larry Adler, Dennis King, Louis Calhern, Lionel Stander, John Garfield, Harry Carey, Robert Louis and Cliff Edwards lunching at Sardi's yesterday.

•

Russell Holman, Charles Sonin, Ed Saunders and Max Dreyfus at Nick's Hunting Room in the Astor for lunch yesterday.

•

Alexander Korda left New York over the weekend on a brief business trip and will return in a few days before leaving for the Coast.

•

W. G. Van Schmus, managing director of the Music Hall, arrived from the Coast yesterday.

•

S. Charles Einfeld, Warners' director of advertising and publicity, plans to return to the studio Friday.

•

Harry Kalmine, Warner circuit zone manager in Pittsburgh, conferred at the home office yesterday.

•

Adolph Haas has returned from Boston.

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•

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Rain Jars Grosses After Fine Weekend

(*Continued from page* 1)

the weekend and should finish its first week tonight with an estimated $43,000. It holds over.

At the Astor, "Gone With the Wind" continued to play at capacity during its ninth week for an estimated take of $22,000 while the Capitol with the same film on a continuous policy grossed an estimated $60,000.

Fourth week of "The Grapes of Wrath" should bring an estimated $35,000 at the Rivoli. At the Strand, "The Fighting 69th" with Paul Whiteman's band on the stage drew an estimated $21,000 over the weekend and winds up its fourth week on Thursday. The film should end its fourth week with an estimated total gross in the neighborhood of $175,000. "The Story of Dr. Ehrlich's Magic Bullet" goes into the Strand on Friday. At the Globe, "British Intelligence" drew an estimated $5,000 last week.

4-A Aids Vaudeville Show Union Drive

(*Continued from page* 1)

they book a stage show as a unit from independent contractors and that the circuit has no control over labor policies. However, the resignation of Dorothy Bryant as executive secretary of A.G.V.A. caused the preliminary negotiations to be abandoned.

Four-A branches also will be requested to instruct their members not to deal with talent agencies which refuse to sign an A.G.V.A. licensing agreement. All agencies which hold licenses from other 4-A branches will be required to sign with A.G.V.A.

Schlanger to Be Honored

Philadelphia, Feb. 19.—Local Variety Club will honor Ted Schlanger, Warner circuit head here, at a dinner on Feb. 24. Sam Stiefel is head of the arrangements committee.

Town's Merchants To Build Theatre

St. Louis Feb. 19.—Merchants of Shelbyville, Mo., small village 100 miles northwest of St. Louis, have pooled resources and have formed the Shelbyville Theatre Corp. They will build an $8,000 house. The object is to keep residents at home instead of going to a town eight miles distant for a show. The building will be leased to an exhibitor.

Boise Today Sees 'Passage,' Its Stars

Boise, Idaho, Feb. 19.—This city is prepared for a rousing celebration tomorrow. It will be climaxed with the world premiere of M-G-M's "Northwest Passage" at the Pinney Theatre.

A crowd of several thousand persons is expected to turn out for the arrival at 7:30 A. M. tomorrow of a special train bringing Ilona Massey, Isabel Jewell, Virginia Grey and Alan Curtis, M-G-M players.

Governor Bottolfsen, state officials and mayors of Idaho cities will receive the players at the state capitol. The program includes the Governor's luncheon, a parade by high school students reviewed by the Governor, and then the premiere, which will be broadcast over KIDO and NBC's Western network.

Eleven New Pictures Approved by Legion

National Legion of Decency approved all 11 films reviewed and classified for the current week. Six were found unobjectionable for general patronage and five unobjectionable for adults. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Calling Philo Vance," "First Film Concert,": "Granny, Get Your Gun," "Light of Western Stars," "Pinocchio," "Ultimatum." Class A-2, Unobjectionable for Adults: "Castle on the Hudson," "Double Alibi," "I Take This Woman," "Man From Dakota," "Vigil in the Night."

Buys Ellery Queen Right

Hollywood, Feb. 19.—Larry Darmour has purchased the film rights to the published detective novels of Ellery Queen and the CBS transcontinental radio program. He may produce two or three features a year for probable Columbia release.

Ostrer's Wife Dies

London, Feb. 19.—Karen Peterson, actress and wife of Mark Ostrer, head of Gaumont-British, died over the weekend of gastric influenza. She had been appearing in the road show of "The Woman."

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Irving Unopposed As Head of AGVA

Nominees for officers and members of the governing board of the New York local of the American Guild of Variety Artists will be unopposed in the first election which will be held Sunday afternoon at the Piccadilly Hotel. A constitution will also be adopted for the local at Sunday's meeting.

Phil Irving is a candidate for president; Dave Fox, first vice-president; Peter Wells, second vice-president; Hazen Scott, third vice-president; Michael Lewis, fourth vice-president; Helen Sanford, fifth vice-president; Billy Glason, recording secretary; and Sam Kramer, treasurer.

Representing the Associated Actors and Artistes of America, the parent body, at the meeting will be Lawrence Tibbett, president of the American Guild of Musical Artists. John J. Sullivan, secretary of the New York Hotel Trades Council, and Michael Garriga, vice-president of the Hotel and Restaurant Employes International Alliance, will address the meeting on the cooperation their reespective organizations will give to A. G. V. A. Hoyt S. Haddock, newly elected executive secretary, also will speak. Candidates for the governing board are Charles Arno, Henry Berman, Charles Honi Coles, Don DeLeo, Joy Dixon, Thelma Flowers, Dave Fox, Jack Gilford, Billy Glason, Al Hammer, Jack Hilliard, Phil Irving, Sam Kramer, Michael Lewis, Fred Pisano, Elton Rich, Ed Rickard, Helen Sanford, Hazel Scott, Al Shayne, Noble Sissle, Arthur Ward and Peter Wells.

Monogram Business Strong Despite War

Monogram's foreign business has been less affected by the European war than was anticipated at the outbreak of hostilities, Norton V. Ritchey, manager of the company's foreign department, said yesterday.

Despite a lack of shipping and transportation facilities in France, sales out of the Paris office are "almost normal," he added.

Bernhard Out of Danger

Joseph Bernhard, general manager of Warner Bros. Theatres, is definitely out of danger. His recovery from a gallbladder and appendicitis operation, was complicated with pneumonia.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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25% Business Boost in Year For Republic

(Continued from page 1)

out our problems, we can discuss cert[illegible] sectional difficulties four times yearly and thus keep a closer contact with our exhibitor customers as well as our men in the field. In other words, we can find out our mistakes four times a year instead of once a year and can be guided accordingly."

This program, he averred, has enabled him and his men to place Gene Autry vehicles and other Republic pictures in Class A houses which hitherto had been closed to them.

"I predict 'South of the Border,' Autry's latest, will get playing time in 75 per cent of Class A houses in larger cities throughout the country," he said. "The Higgins Family series is going into big houses and so are Roy Rogers westerns. By starting out in the East and traveling west through the states, I can arrive at the studio with many suggestions from our men and our customers for betterment of our product."

As an example of his road work, Grainger pointed out that since Dec. 7 he had been in New York only five days.

"I've always contended," he declared, "that you can't run business from behind a desk in New York."

"Dark Command," high budget feature starring John Wayne and Claire Trevor and now in production, will be sold into about 11,000 houses, according to Grainger. "South of the Border" will play about 10,000, while "Jeepers Creepers" is expected to reach the 9,000 mark.

Meetings with division heads will probably wind up tomorrow night and then Grainger and Yates will start production conferences with M. J. Siegel, production; E. H. Goldstein, studio manager; Albert J. Cohen, scenario editor; Earl Kurtze, his special representative; William Saal, special sales representative, and Walter Compton, publicity director.

Conferring with him today were J. T. Sheffield, franchise owner; Ed Walton, Seattle branch manager; J. H. Sheffield, Portland branch manager; Sid Weisbaum, San Francisco branch manager, and Francis Bateman, Los Angeles branch manager.

Providence Albee Signs Union Deal

Providence, Feb. 19.—RKO Albee has signed an agreement with Local B-129 of the I.A.T.S.E., affecting front-of-the-house employes, and is the second Providence house to do so. Loew's State signed recently.

The agreement, which runs from Feb. 15, 1940 to Nov. 1, 1941, provides for raises for ushers, doormen, the assistant staff chief and theatre firemen. It was signed by Albert Byrnes, president, and James Tartaglione, business agent, for the union, and Major Leslie E. Thompson, RKO Theatres executive, for the house.

Release Finnish Short

Hoffberg Productions, Inc., will release "Finland Speaks," a short prepared from Finnish Government films.

Patrons in Theatres Give Finn Aid Cash

Largest sum received by the Finnish Relief Fund as a result of theatre collections last Saturday and Sunday was $1,350 from the Roxy on Broadway.

First contribution received by the theatre division was $646.06, representing collections at four Trans-Lux houses in New York City.

Fund headquarters estimate that between 4,000 and 6,000 theatres sponsored collections throughout the country.

California theatres have postponed the drive to next Saturday and Sunday. Kentucky and West Virginia theatres plan to start their drive next week.

"Finland Fights!" short made by the Fund, is being shown in theatres in 40 states. More than 400 prints have already been sent out and orders for the film continue to arrive.

Rush Trust Replies To Capital for Study

(Continued from page 1)

tieth Century-Fox may allow disclosure of its answers today, it was said.

Those major companies which asked for the withholding of answers stated that statistics had been hurriedly prepared and therefore required rechecking before their release to the public.

From Washington came word that the Department of Justice is giving serious consideration to the recent Department of Commerce report which embodies a workable plan to establish amicability between the industry and the Government.

Some quarters at the capital are inclined to believe that the Commerce report may lay the foundation for conferences to eliminate industry abuses which the Government is anxious to eliminate.

Industry officials are waiting to learn what recommendations the Department of Justice will make following the completion of its study of the Commerce report.

Bioff to Surrender; Buzzell Arrested

(Continued from page 1)

without fighting extradition proceedings which are now pending. His attorneys refused to comment on this phase.

However, it was understood that the step was necessary to prevent the forfeiture of $5,000 bail posted in the income tax evasion case. The Government would confiscate the bond should Bioff leave the court's jurisdiction without permission.

In the meanwhile another union leader, J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, who has been aiding Bioff in discussions with producers on the subject of the 10 per cent wage increase for studio unions, gained freedom after being booked on a suspicion of negligent homicide following a traffic accident early Sunday.

According to police, Buzzell drove his car into a crowd of bystanders at a Los Angeles traffic accident. Besides injuring three of them, he ran over the prostrate form of a victim of the previous mishap. The victim died several hours later and Buzzell, after being booked on suspicion of reckless driving, was re-arrested.

Fruit Buys Films

Film companies face many difficulties in their international trade. But the situation in the Khyber Pass country is unique. E. Hakim, exhibitor in Kabul, sends the exchanges in Bombay dried skins and fruit because Afghanistan has a complete embargo on gold. He is always behind in his payments because the fruit always arrives in deteriorated condition, which makes it unsaleable. There is a good market for the skins, however.

Universal Explains Film Shown in Italy

"Three Smart Girls Grow Up," which opened to exceptional business in Rome over the weekend, was not sold to the Italian film monopoly by Universal, company officials said yesterday.

The film was delivered to the company's former Italian agent last Summer in line with an agreement in settlement of the agent's distribution contract. Due to the current scarcity of American films in Italy, release of the picture was held up for months by the agent while other pictures on hand were being played off, it was said.

Rites for Shalita

Philadelphia, Feb. 19.—Funeral services were held yesterday for Gerson Shalita, manager of the Bromley, who died suddenly on Saturday. He was a cousin of Joseph Bernhard, general manager of Warner theatres.

Seattle Gives 'Wind' Lead With $27,000

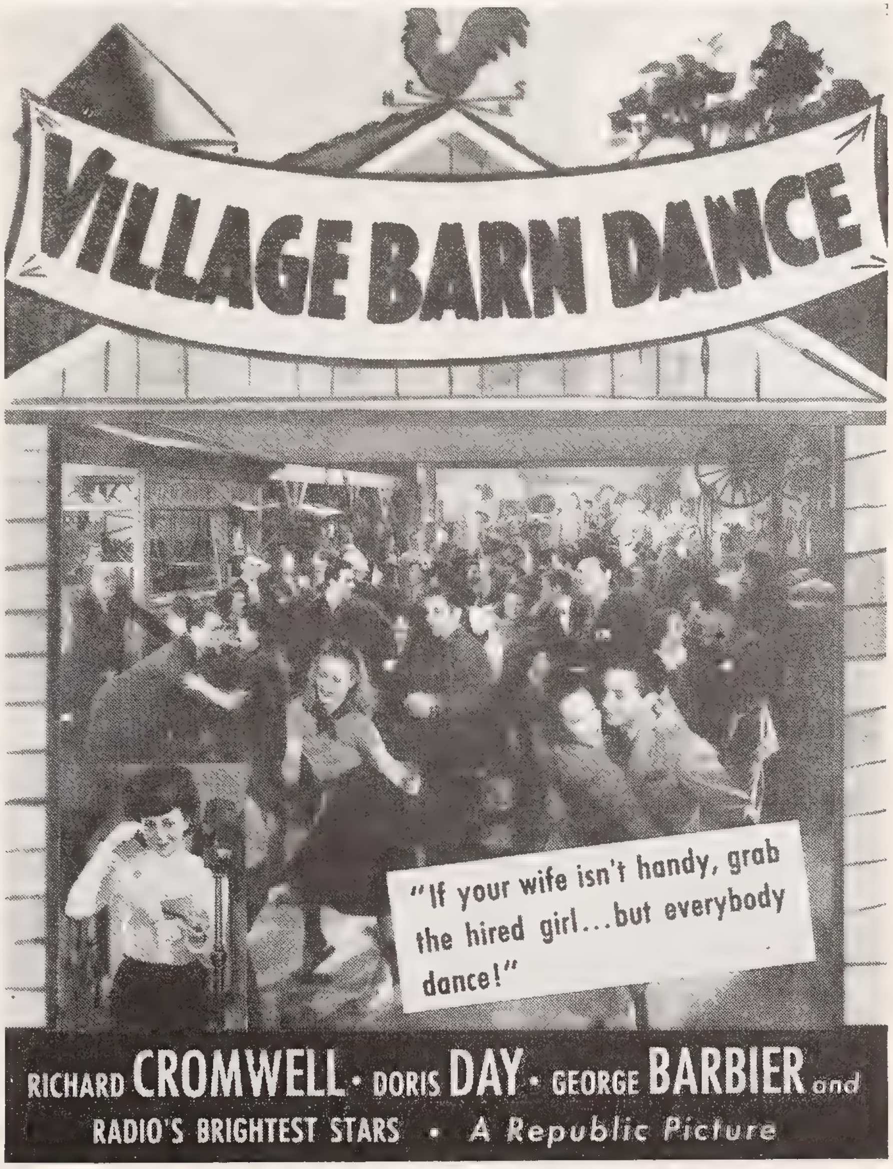
Seattle, Feb. 19.—"Gone With the Wind" in its third week at the Fifth Avenue was still the town's top grosser, taking a strong $27,000. The weather was mild and slightly rainy.

Estimated takings for the week ending Feb. 16:

"The Shop Around the Corner" (M-G-M)
"The Man Who Wouldn't Talk" (20th-Fox)
BLUE MOUSE—(950) (25c-40c-55c) 7 days. 2nd week. Gross: $3,300. (Average, $4,000)
"Gone With the Wind" (M-G-M)
FIFTH AVENUE—(2,500) (75c-$1.15-$1.50) 7 days, 3rd week. Gross: $27,000. (Average, $7,000)
"His Girl Friday" (Col)
LIBERTY — (1,800) (25c-40c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $5,000)
"Of Mice and Men" (U.A.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"The Light that Failed" (Para.)
"The Flying Deuces" (RKO)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,000. (Average, $6,000)
"I Take This Woman" (M-G-M)
'City of Chance" (20th-Fox)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $5,100. (Average, $6,000)
"South of the Border" (Rep.)
"Rio" (RKO)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Conway & Lee. Gross: $5,500. (Average, $5,000)

M-G-M Signs Friedman

Hollywood, Feb. 19.—Charles Friedman, co-author and director of "Sing Out the News" and contributor of sketches to "Pins and Needles" on Broadway, today was signed by M-G-M as writer, director and producer.


VILLAGE BARN DANCE
"If your wife isn't handy, grab the hired girl...but everybody dance!"
RICHARD CROMWELL · DORIS DAY · GEORGE BARBIER and
RADIO'S BRIGHTEST STARS · A Republic Picture

Studios Have 33 New Films Now Shooting

HOLLYWOOD, Feb. 19.—Thirty-three pictures went before the cameras this week as eight finished and seven started. Twenty are being prepared and 65 are in the cutting room.

The tally by studios:

Columbia

In Work—"The Doctor Takes a Wife."

Started—"The Man Who Would Not Die."

M-G-M

In Work—"40 Little Mothers," "Two Girls on Broadway," "Dr. Kildare's Girl," "Edison the Man," "Waterloo Bridge," "Pride and Prejudice," "And One Was Beautiful," "The Mortal Storm."

Started—"20 Mule Team," "Susan and God."

Monogram

Finished—"Midnight Limited."

In Work—"Destiny," "The Ghost Breakers."

Sol Lesser

In Work—"Our Town."

RKO

Finished—"My Favorite Wife," "Curtain Call."

In Work—"The Romantic Mr. Hinklin," "The Saint Takes Over."

Republic

Finished—"Forgotten Girl."

In Work—"Rancho Grande," "The Dark Command."

Started—"Ghost Valley."

Small

Started—"South of Pago Pago."

20th Century-Fox

Finished—"Sailor's Lady."

In Work—"Earthbound," "Star Dust," "Lillian Russell," "Charlie Chan's Cruise."

Started—"On Their Own."

Universal

Finished—"Alias, the Deacon," "Ma, He's Making Eyes at Me."

In Work—"It's a Date," "Sandy Is a Lady."

Started—"If I Had My Way."

Warners

Finished—"'Till We Meet Again."

In Work—"Sea Hawk," "All This and Heaven, Too," "An Angel from Texas," "Torrid Zone."

Sues Consolidated Films

Stockholder's suit against Consolidated Film Industries, Inc., Republic Pictures Corp. of Delaware, Setay Co., Inc., and 20 officers and directors of Consolidated was filed yesterday by Beatrice Tunick, holder of 10 shares of Consolidated, in N. Y. Supreme Court. Suit claims waste and mismanagement totalling approximately $1,000,000. At the same time, answers were filed by all defendants which denied all claims made in the complaint.

Ginsberg Rites Today

Funeral services will be held at 11 A. M. this morning in Paterson, N. J., for Jack Ginsberg, 46, manager of the Majestic in that city. Ginsberg is the son of Max Ginsberg, who operates the Majestic and the Beacon in Beacon, N. Y.

Hollywood Review

"Women Without Names"

(Paramount)

HOLLYWOOD, Feb. 19.—Associate Producer Eugene Zukor's singularly practical approach to the vital business of furnishing direct, wide-appeal entertainment on a commonsense budgetary scale accounts here, again, for an hour of plain story-telling in which a cast more competent than famous responds alertly to Robert Florey's businesslike direction. The screenplay by William R. Lipman and Horace McCoy, from a play by Ernest Booth, is a competent piece of straight-line writing. The film is not big, neither is it offered as such, but it is good.

Ellen Drew, favorably received in several previous pictures under the Paramount trademark, is the top name and plays the principal role, that of an innocent wife sentenced to prison for life when her likewise innocent husband, Robert Paige, is sentenced to death on circumstantial evidence. Judith Barrett, John Miljan, Fay Helm, John McGuire, Louise Beavers, James Seay, Esther Dale and Marjorie Main are other members of a well chosen cast. Much of the action transpires in the women's section of a penitentiary, inclusive of a hair-pulling match between two of the girl convicts which generates considerable violence. Later on, an escape, flight and pursuit furnish a thrilling windup.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

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*"G" denotes general classification.

Northwest Showmen In Meeting Today

SEATTLE, Feb. 19.—A meeting of all Pacific Northwest exhibitors has been called for tomorrow at the Film Club here to discuss the newly-formed Allied Exhibitors group and its affiliation with the Pacific Coast Conference of Independent Theatres. James M. Hone, executive secretary, will preside. A similar meeting of Eastern Washington exhibitors is being planned by Hone to be held in Spokane on Feb. 27.

CEA to Meet Labor Unit on Wage Rise

LONDON, Feb. 19.—National Association of Theatrical and Kine Employees on Thursday will meet with the London Branch of the Cinematograph Exhibitors Association to discuss the labor demand of wage bonuses.

It is expected that C. E. A. will grant some increase and it is believed that whatever action is taken by the C. E. A. group it will have a strong influence on the decision of other exhibitor units in the country.

Win Fox West Contest

HOLLYWOOD, Feb. 19.—Charles Thall of the San Francisco metropolitan district; Richard Dickson, Southern district division manager and Nick Turner, Northern division district manager, for Fox West Coast Theatres have been awarded $100, $75 and $50, respectively, as winners in the circuit's current new business drive. Herman Kerster and George Watters tied for first place in the accompanying exploitation contest.

Ban Insurance Plan

ST. LOUIS, Feb. 19.—The Prosecuting Attorney's office in St. Louis County has ordered all county theatres to discontinue the insurance plan in connection with the Pot o' Gold radio programs. It was said the insurance plan, which provides for payment of an additional $1,000 if the winner is in a theatre instead of at home, may come under the Missouri lottery laws.

'Wind' Return Dates To Start on March 2

"Gone With the Wind" will play return dates in a few cities, beginning March 2 at the downtown Majestic, Boston, where it ran simultaneously at the State and Orpheum. Neighborhood runs will be set for late in March.

On March 8 the film will start a return engagement in Harrisburg, playing Jay Emanuel's Senate. The picture grossed $50,000 in four weeks at Loew's Regent, Harrisburg, breaking the city's record by one week for length of run.

A return engagement also will be set for the Park, Reading, Pa., where the picture ran four weeks.

Next Thursday the film will end a 10-week run at Loew's Grand, Atlanta. It had its world premiere there. In nine weeks the film played to more than 200,000 persons. Atlanta has a population of 400,000. The 10-week gross is estimated at $215,000.

Philadelphia Strike Extension Demanded

PHILADELPHIA, Feb. 19.—A special membership meeting has been called for next Friday by Local 77, A.F.M., to act on a resolution introduced today at a rump meeting, which demands that the Federation extend nationally the local musicians' strike against Warner Theatres.

The resolution demanding that the local secede from the Federation if it refuses to extend the strike, has been under way here for three months.

Union officials have started a move to induce independent theatres competing with Warners to introduce vaudeville, with musicians compensated on a percentage of the receipts.

Delay 4A Benefit Show

HOLLYWOOD, Feb. 19.—Because of the conflict with the Armstrong-Garcia fight, the "Gambol of the Stars," of the Associated Actors and Artistes of America, originally scheduled to be held Feb. 22, has been postponed until March 14 and will be held at the Cocoanut Grove of the Ambassador.

Radio Brevities

CBS will lead the networks this Summer in play-by-play broadcasts of major league baseball games, with Mutual in second place. Of the 16 teams, CBS affiliated stations will carry the home games of nine of them.

The station lineup for the season will be: WABC, Yankees and Giants; WOR, Dodgers; WBBM, WGN, WCFL, WJJD, Cubs and White Sox; WCAU, WIP, Phillies and Athletics; WJSV, Senators; KMOX, KWK, Cardinals and Browns; WCPO, WSAI, Cincinnati Reds; WWJ, Tigers; KDKA, WWSW, Pirates; WCLE, Indians, (days), WHK, (night games, Sundays and holidays); WAAB, Bees and Boston Red Sox.

Prof. Quiz Aids 'Sidewalks'

In a tieup with Paramount's "Sidewalks of London," Prof. Quiz will have as his contestants on his CBS show Friday the mayors or postmasters of nine cities in the United States and Canada which are named London. The officials will be in town on that day to see the Paramount film.

Personalities in the News

Philip L. Barbour, in charge of foreign press and foreign station relations for NBC, will discuss "Are We Good Neighbors in South America?" on Feb. 27 before the National Council of Jewish Women in Brooklyn. . . . Rev. Glenn T. Settle, director and narrator of "Wings Over Jordan," has been cited for distinguished achievement on behalf of improved racial relations by the Association for the Study of Negro Life and History. . . . Oscar Levant will be guest on the WNYC "American Music Festival" on Thursday. . . . Joan Bennett and Sabu will be heard on the "Kraft Music Hall" over NBC-Red at 10 P. M. Thursday as guests of Bing Crosby.

NBC Scores Altmark Beat

NBC scored a one-hour beat Saturday with the first broadcasts by *Altmark* survivors. CBS also interviewed survivors but waited until the regular "News Roundup" period at 6:45 P. M.

Program News

"Adventures of Sherlock Holmes" will make its last broadcast of the season over NBC-Blue on March 11 and then will take its customary layoff for the Summer. . . . McKesson & Robbins is the first sponsor to take advantage of the package deal offered by NBC for participating sponsorship of the "Breakfast Club." The drug firm will sponsor a half hour of the show on Saturdays over WJZ, WBZ and KDKA. . . . Gordon Baking Co. will sponsor one-minute transcriptions on Larry Elliot's "The Rising Son" over WABC on Mondays, Wednesdays and Fridays, starting March 6.

C. B. Blake Dies

LOUISVILLE, Ky., Feb. 19.—Cincinnatus B. Blake, 67, owner of the Savoy here, World War colonel of infantry, died at the U. S. Veterans Hospital, Hines, Ill.

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MOTION PICTURE DAILY

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Film and
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VOL. 47. NO. 37 NEW YORK, U. S. A., WEDNESDAY, FEBRUARY 21, 1940 TEN CENTS

Film Writers Direct Attack On Neely Bill

Resolution by Guild Hits Synopsis Clause

Hollywood, Feb. 20.—Board of directors of the Screen Writers Guild last night passed a resolution condemning the Neely bill as inimical to the industry.

In the expected formal protest against the measure, the Guild placed itself on record as favoring free and open competition in the business. After tallying the ballots of members, the directors passed the following resolution:

"Resolved, that the Screen Writers Guild go on record as opposing the Neely bill on the ground that the synopsis clause is inimical to the best interests of writers, the motion picture industry and the public at large.

"It is further resolved that because the Neely bill has posed the question of monopolistic practices within the industry, the Screen Writers Guild takes this occasion to go on record as ready to support any proper legislation and judicial action which first demonstrates factually the existence of a monopoly, and second which has

(*Continued on page 2*)

Vaude Union Drive Goes To Roxy First

American Guild of Variety Artists will bring a delegation representing all branches of the Associated Actors and Artistes of America to a conference Friday with Irving Lesser, manager of the Roxy. Negotiations for unionization of performers in Roxy stage shows will be started.

This will represent the first time that all 4-A unions have united to aid the organization of motion picture presentation houses. It follows the resolution of the 4-A board calling upon all branches to instruct their members not to work in A.G.V.A.'s jurisdiction except with paid-up A.G. V.A. members.

Heading the delegation will be Paul Dullzell, executive secretary of Actors Equity; Emily Holt, executive secretary of American Federation of Radio Artists; Florence Marston, Eastern representative of Screen Actors Guild; Ruth Richmond, executive secretary of Chorus Equity; and Hoyt S. Haddock, A.G.V.A. executive secretary.

'Wind' Will Leave Capitol March 6; Gross at $700,000

"Gone With the Wind" will leave the Capitol on Broadway March 6 after an 11-week run. The total gross for the period, it is estimated, will be more than $700,000.

The film will continue its two-a-day run at the Astor indefinitely.

"Northwest Passage" will be the next picture at the Capitol. Advertising on this booking will start this week.

"Gone With the Wind" started its two-theatre run on Broadway Dec. 19, four days after the world premiere in Atlanta. By the time it leaves the Capitol, it will have grossed somewhat less than $1,000,000 at the Capitol and Astor combined, it is estimated.

The film leaves Loew's in Jersey City today after a four-week run, continuing at Loew's Newark for a fifth week and probably a sixth.

The picture will get a total of four weeks at Loew's Metropolitan in Brooklyn, ending next Wednesday.

These are the only runs set in Greater New York until late March.

Winkler Is Named To RKO Studio Post

Hollywood, Feb. 20.—Dan Winkler, former executive of the Myron Selznick Agency, on Monday will join RKO as executive in charge of all studio commitments. He will take the post vacated by J. J. Nolan, named vice-president in charge of the studio.

Sidney Rogell, RKO studio manager, has been given a new two-year contract. RKO has extended its releasing contract with Stephens-Lang Productions, and the company will make three "Dr. Christian" pictures, starring Jean Hersholt, for the 1940-'41 season.

U.S. Quizzes Work on Universal Data; Hears Balaban Next

That Universal's studio operations are conducted on a business-like basis was the substance of information which the Government elicited yesterday from Cliff Work, Universal studio head, in the current examinations of defendant executives before trial of the Government's New York anti-trust suit.

Work came to New York from the Coast for two hours of questioning by George Wright, special assistant to the U. S. Attorney General. He provided the Government with information on how talent loans are made and how production schedules planned.

Elementary Information

As was the case in previous examinations by the Government of United Artists and Columbia executives, the questioning of Work yielded only such information as the trade regards as elementary.

Work's examination ended on the Government's stock query as to whether, in his opinion, it was advisable for a producer to own or have an interest in theatres. Defense attorneys objected to the question and, as in the previous examinations of executives, it went unanswered.

Work was represented by Edward C. Raftery and Benjamin Pepper of O'Brien, Driscoll & Raftery, in addition to Charles D. Prutzman, Universal vice-president and general counsel,

(*Continued on page 5*)

Late Flashes from the Coast

Hollywood, Feb. 20.—Suspending all negotiations with producers in behalf of extra players, directors of the Screen Actors Guild today granted complete self-government to atmosphere players and provided them with a local charter from the Guild. Extras will conduct their own collective bargaining negotiations with producers. Extras have been seeking a 15 per cent wage increase and improved working conditions.

Twentieth Century-Fox today announced the suspension of Don Ameche for failure to report to Paramount on a loan-out to appear in "The Night of January 16." Paramount was compelled to release Barbara Stanwyck who was to appear opposite Ameche.

James Roosevelt today signed Horace Heidt and his band to appear in a picture based on the musician's "Pot o' Gold" radio program, which is now under U. S. investigation as the result of exhibitors' protests.

UNIONS TO KEEP 10% BOOST, SAYS BIOFF

Won't Yield to Producers, IA. Leader Promises; Held in Chicago

By WILLIAM F. CROUCH

Chicago, Feb. 20.—Smarting with bitterness against the "CIO, Communists and moneyed interests" whom he blamed for his extradition, William Bioff, I.A.T.S.E. leader, late tonight won his freedom on a writ of habeas corpus.

Bioff arrived this morning following a suddenly decided overnight flight from Hollywood, using an assumed name to dodge publicity. However, when he arrived at the airport he was greeted by reporters and police.

Bioff was promptly taken into custody and brought to the Bridewell jail to which he was sentenced in 1922 to serve a six months' term. For some unexplained reason the sentence was never completed.

Hearing on Friday

Judge Prystalski released Bioff on a $5,000 bond and set Friday morning for the hearing on the habeas corpus writ.

In an exclusive interview with this Motion Picture Daily reporter, Bioff said that he and George Browne, I.A.T.S.E. president, were to go into a huddle tonight to decide the next step to be taken in the current negotiations with Hollywood producers on the 15 per cent wage increase.

During the day Bioff telegraphed Joseph Tuohy, secretary of the Conference of American Federation of Labor Studio Unions, resigning as chairman of the negotiating committee.

Won't Give Up Increase

Bioff said:

"Studio unions have no intention of surrending the 10 per cent wage increase which they won last November."

Bioff declared that at the conference with producers late last week, they presented audits showing that they did approximately $68,000 000 worth of business during the past 13 weeks at a cost of $69,200,000, thus suffering a $1,200,000 loss.

"We asked for a breakdown of these

(*Continued on page 5*)

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow. Washington's Birthday, a legal holiday.

Warner-RKO Fight Over Franklin Film

Warner Brothers will go ahead with its plans to produce a film on the life of Benjamin Franklin despite the intention of RKO to make a similar picture.

Hal B. Wallis, associate executive producer of Warners, made this statement last night at a cocktail party honoring him and his wife, Louise Fazenda, at the Waldorf Astoria.

Warners will star Edward G. Robinson, while RKO announced that it will use Charles Laughton. Wallis said that Warners has priority rights since it registered a title with the M. P. Producers Association on the Coast last year.

RKO recently purchased Carl Van Doren's biography of Franklin. Warners contends biographical material on Franklin is public domain.

Among those at the cocktail party were Gradwell L. Sears, Charles Leserman, S. Charles Einfeld, Paul Muni, Erin O'Brien-Moore, John Garfield, Ed Hatrick, Mort Blumenstock, Louis Sobel, Cobina Wright Jr., Robin Ramond, Warden Lewis E. Lawes, Kyle Crichton, Radie Harris, Marion Hopkins, Jake Wilk, A-Mike Vogel, J. P. McEvoy, Sidney Rechetnik and Kelsey Allen.

'Wrath' Pre-Release Dates Now Total 301

A total of 301 pre-release runs of "The Grapes of Wrath" have been set to date by 20th Century-Fox. This is a record for the company for day-and-date bookings. First of these engagements started at the Surf and Lincoln theatres in Miami yesterday.

Purely Personal

CLIFF WORK, Universal studio head, left for Florida by plane last night to confer with NATE J. BLUMBERG, Universal president, and W. A. SCULLY, vice-president and general sales manager, before returning to the Coast.

•

JOHN M. STAHL has been ordered by his doctor to remain at his hospital here for additional rest, as a result of which he has no immediate plans for returning to the Coast.

•

TRUMAN H. TALLEY, general manager of Movietone News, who has been in Europe two months, has sailed from Italy on the *Conte di Savoi* and is due here next Tuesday.

•

MRS. C. M. FORESTER, wife of the English novelist, has arrived from England and will leave for the Coast where her husband is working at the Warner studio.

•

MARGARET LECZER, secretary to WILLIAM F. RODGERS at M-G-M, leaves tomorrow for two weeks in Florida.

•

JAY A. GOVE, M-G-M sales promotion manager, left yesterday on a fishing trip to Key West, Fla.

•

WILLIAM ENGLEHART of M-G-M's home office tax department observes a birthday today.

•

RALPH PIELOW, M-G-M Albany branch manager, has left for a two-week Miami vacation.

•

BONNEY POWELL, Movietone News cameraman, is in Helsinki on a war assignment.

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VIA
The Southern Sunshine Route

• Over the fields of Dixie, over the sunny plains and golden deserts of the Southwest, four American Flagships every day whisk travelers to their destinations in luxurious ease and comfort. Giant Skysleepers . . . complimentary meals . . . stewardess service. Make your next trip to the West via this nature-favored route. For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices, 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

CHARLES C. MOSKOWITZ, Loew theatres executive, was given a birthday dinner by his family last night at the Moskowitz home in Kew Gardens.

•

GRADWELL SEARS, CLAYTON BOND, ALBERT HOWSON, EDDIE GRAINGER, CHARLES E. McCARTHY, BARRY FITZGERALD, A. P. WAXMAN, OWEN DAVIS, JAY C. FLIPPEN and RUSSELL HOLMAN at Nick's Hunting Room in the Astor for lunch yesterday.

•

HARRY BUXBAUM, JR., of 20th Century-Fox's New York exchange sales staff, was tendered a dinner at Dinty Moore's yesterday, his 23d birthday, by co-workers. His father, HARRY BUXBAUM, SR., exchange manager, presided.

•

JOSEPH McCONVILLE, ABE SCHNEIDER, DWIGHT WIMAN, HARRY THOMAS, ROBERT SAVINI, JACK GOETZ, MONROE GREENTHAL, WILLIAM FITELSON, SAM LYONS and SAM CITRON at BOB GOLDSTEIN'S Tavern yesterday.

•

FREEMAN WAUGH, former manager of the Capitol, Kitchener, and Hollywood, Toronto, has joined the Canadian overseas forces as an artillery officer.

•

WILLIAM KARRER of Republic has been elected president of the Motion Picture Associates, Philadelphia organization of exchange employes.

•

JOHN JUSTIN, ALEXANDER KORDA player, is en route from England on the *Washington* to appear in final sequences of "Thief of Bagdad."

•

LEON ROSENBLATT, head of the Rosenblatt & Welt Circuit operating on Staten Island and in New Jersey, has recovered from a long illness.

•

IRVING MINTZ, 12th floor projectionist at the Paramount home office, will leave for Florida Friday for a three weeks' vacation.

•

HAROLD ORLOB, ROBERT WEITMAN, TOBY GRUEN, LOUIS PHILLIPS, BEN BOYAR and MARTIN BECK lunching at Sardi's yesterday.

•

WESLEY RUGGLES has been appointed a member of the Motion Picture Advisory Board of the National Education Association.

•

DAVID WESHNER, Warner Theatres zone manager in Philadelphia, has returned with MRS. WESHNER from a Florida vacation.

Ampa Will Honor Nugent on Feb. 29

Frank S. Nugent, film critic of the New York *Times*, who leaves next month to join 20th Century-Fox as a scenarist, will be given a "farewell luncheon" Feb. 29 by the Ampa at Jack Dempsey's restaurant.

All film critics of New York newspapers have been invited to be the Ampa's guests on the occasion. There will be no meeting this week.

Hall Joins Filmack

Donovan Hall, who resigned recently as head of advertising and publicity for Ross Federal Service, has joined Filmack in Chicago as director of sales and advertising.

Newsreel Parade

President Roosevelt sailing from Florida, Welles and Taylor leaving for Europe and the snowstorm in the East are covered in the new issues, contents of which follow:

MOVIETONE NEWS, No. 47—Record snow in East. Buffalo cereal plant burns. Philadelphia family of 17 children attends movies. President on mystery cruise. First subway for Chicago. Welles and [illegible]lor leave for Europe. Republicans Choose Philadelphia for convention. Miami life guards in beauty contest. Baseball stars play golf. Rowing on Coast. Skiing. Lew Lehr.

NEWS OF THE DAY, NO. 245—Roosevelt sails from Florida; envoys sail on *Rex*. Pick Philadelphia for Republican convention. Blizzard in Boston. American ambulances in French army. Life guard beauty contest. Barefoot dancing in Florida. Baseball players in golf derby. Horse racing at Santa Anita.

PARAMOUNT NEWS, No. 50—Cereal mill in Buffalo burns. Funeral for Lord Tweedsmuir in Ottawa. Welles, Taylor sail for peace talks. Washington memorial services in Williamsburg, Va. Fish in Florida aquarium. Republicans choose Philadelphia for convention; Dr. Frank prepares for campaign. Sportsmen's Show in New York. Armand Denis and Leila Roosevelt return from Africa. Blizzard in East.

RKO PATHE NEWS, No. 62—Welles and Taylor sail for Europe. Funeral services for Lord Tweedsmuir. Republicans meet in Washington. Traveling hospitals in California. Tea wagons for British troops. Assembly of Virginia meets. Volunteer coast patrol in Australia. Horse race at Hialeah.

UNIVERSAL NEWSREEL, No. 851—Snowstorm hits East. Roosevelt sails on *Tuscaloosa*. Rites for Lord Tweedsmuir. Republicans pick Philadelphia for convention. U. S. peace envoys sail on *Rex*. Bless war ambulances in France. Life guards in beauty contest. Armand Denis and Leila Roosevelt return from expedition. Baseball players in golf match. Sports show at Grand Central Palace. California crew in training.

Film Writers Direct Attack on Neely Bill

(*Continued from page 1*)

as its sole purpose the restoration of free and open competition within the industry, should it be demonstrated that such does not exist."

Guild directors ordered an open membership meeting on Monday to discuss the question of taking a stand on Congressman Martin Dies' attack on Hollywood. Invitations will be sent to the Association of Motion Picture Producers, other Guilds and the unions.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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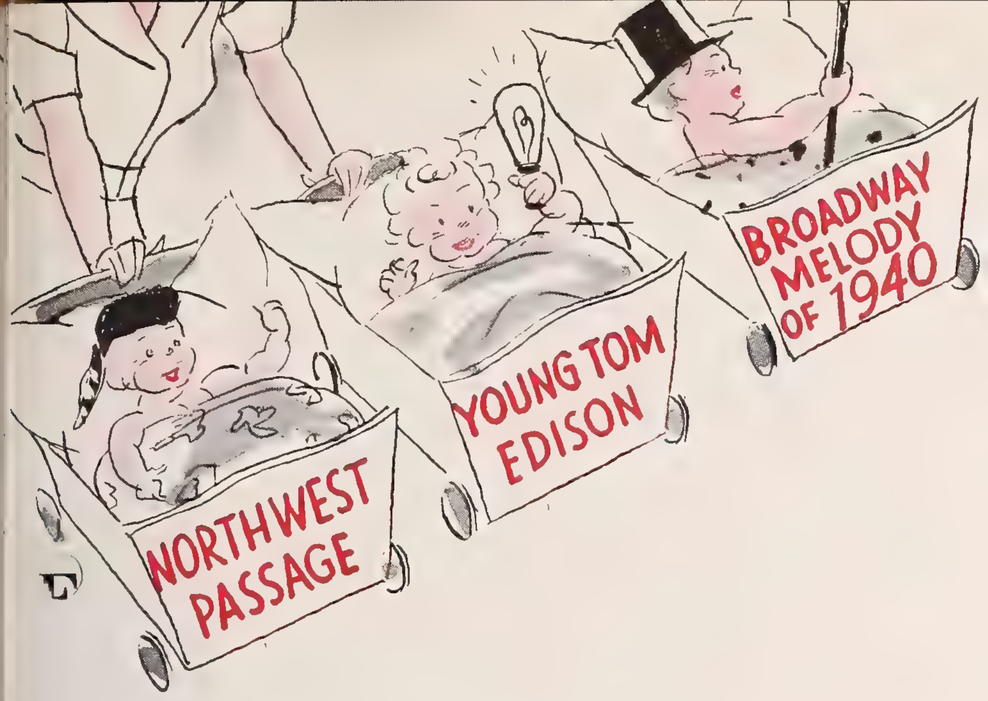

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Los Angeles Gives $23,800 To 'Pinocchio'

LOS ANGELES, Feb. 20.—"Pinocchio" was strong here, with a total of $23,800, taking $9,800 at the Hillstreet and $14,000 at the Pantages in only five days. "Gone With the Wind" continued at a fast pace at the Carthay Circle and United Artists.

Estimated takings for the week ending Feb. 14:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 7th week. Gross: $20,000. (Average, $17,000)
"Little Old New York" (20th-Fox)
"High School" (20th-Fox)
CHINESE — (2,500) (30c-75c) 7 days. Gross: $10,600. (Average, $12,500)
"Abe Lincoln in Illinois" (RKO)
4 STAR—(900) (75c-$1.50) 7 days, 2nd week. Gross: $4,300. (Average, $3,250)
"Pinocchio" (RKO)
HILLSTREET—(2,700) (30c-65c) 5 days. Gross: $9,800. (Average, $6,500)
"Little Old New York" (20th-Fox)
"High School" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $14,200. (Average, $14,000)
"Pinocchio" (RKO)
PANTAGES—(2,000) (30c-65c) 5 days. Gross: $14,000. (Average, $7,000)
"Sidewalks of London" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Ben Pollak and orchestra. Gross: $14,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 7th week. Gross: $20,000.
"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days, 3rd week. Gross: $8,200. (Average, $14,000)
"The Fighting 69th" (W. B.)
"Calling Philo Vance" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days, 3rd week. Gross: $10,900. (Average, $12,000)

'Wind' at $14,000 New Haven's Best

NEW HAVEN, Feb. 20.—"Gone With the Wind" swept past all other grosses in town for the third week at the College, with $14,000. While holiday prices on Lincoln's Birthday helped, a blizzard kept many customers away as the week finished.

Estimated takings for the week ending Feb. 15:

"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (75c-$1.10) 7 days, 3rd week. Gross: $14,000. (Average, $2,700)
"His Girl Friday" (Col.)
"Music in My Heart" (Col.)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $10,000. (Average, $8,000)
"Little Old New York" (20th-Fox)
"Meet Dr. Christian" (RKO)
LOEW-POLI-BIJOU—(1,482) 7 days, 2nd week. Gross: $2,500. (Average, $2 500)
"The Light That Failed" (Para.)
"Laugh It Off" (Univ.)
PARAMOUNT — (2,348) (35c-50c) 7 days. Gross: $4,500. (Average, $4,000)
"The Fighting 69th" (W.B.)
"Calling Philo Vance" (W.B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000)

Film Council Elects Wilbur President

SAN FRANCISCO, Feb. 20.—Dr. Ray Lyman Wilbur, Stanford University president and ex-Secretary of Interior under Herbert Hoover, has been reelected president of the Motion Picture Research Council.

Other officers are Mrs. Calvin Coolidge and Stephen P. Cabot, honorary vice-presidents; Mrs. Vernon Skewes-Cox and Mrs. Alfred McLaughlin, vice-presidents; Mrs. William Cavalier, executive vice-president, and Allen W. Widenham, treasurer.

Feature Review

"East Side Kids"

(Monogram)

A story of the rejuvenation of a gang of East Side New York boys, pointing in the wrong direction, who are led back to the right path by an earnest policeman, this is routine action material with a fair measure of entertainment.

Directed by Bob Hill from an original story and screenplay by Robert Lively, the film has its quota of excitement. Leon Ames, detective in love with Joyce Bryant, seeks to learn the identity of the murderer for whose crime her brother faces the chair. At the same time the two try to keep the brother's predicament from her younger brother, one of the gang of boys.

As the boys become involved in the counterfeiting activity of a former New York gangster, and Ames himself is implicated by circumstantial evidence, the film reaches its fastest pace, including an automobile chase, a running gun fight and a roof battle which results in the death of one of the boys.

Running time, 62 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

'69th' with $14,000 Is Cincinnati Lead

CINCINNATI, Feb. 20.—"The Fighting 69th" took $14,000 at the RKO Albee, and the "Dead End Kids" and a revue as the stage attraction helped "Music in My Heart" to $10,500 at the RKO Shubert.

Estimated takings for the week ending Feb. 14-17:

"The Fighting 69th" (F. N.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $14,000. (Average, $12,000)
"Vigil in the Night" (RKO)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,500. (Average, $10,000)
"Music in My Heart" (Col.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: "Dead End Kids" and revue. Gross: $10,500. (Average, $10,000)
"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (75c-$1-$1.50) 7 days, 8th week. Gross: $14,000. (Average at 35c-42c, $6,500)
"I Take This Woman" (M-G-M)
RKO-LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,400. (Average, $5,000)
"The Gentleman From Arizona" (Mono.)
"Danger on Wheels" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,200. (Average, $1,500)
"All Women Have Secrets" (Para.)
"Legion of the Lawless" (RKO)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"Brother Rat and a Baby" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,300. (Average, $6,000)

'Wind' Continuing Pace in Milwaukee

MILWAUKEE, Feb. 20.—In its third week, "Gone With the Wind" continues strong at Fox's Palace with $25,000. "Little Old New York" and "The Man Who Wouldn't Talk" drew $6,000 at the Fox Wisconsin.

Estimated takings for the week ending Feb. 15:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (75c-$1.10-$1.50) 7 days, 3rd week. Gross: $25,000. (Average, $4,000)
"Framed" (Univ.)
RIVERSIDE—(2,700) (30c-35c-40c) 7 days. Stage: Dave Apollon revue and Beverly Roberts. Gross: $8.800 (Average, $6,500)
"The Shop Around the Corner" (M-G-M)
"He Married His Wife" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,500. (Average, $1,500)
"The Housekeeper's Daughter" (U.A.)
"Allegheny Uprising" (RKO)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $4,800. (Average, $4,500)
"Little Old New York" (20th-Fox)
"The Man Who Wouldn't Talk" (20th-Fox)
WISCONSIN — (3,200) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $5,500)

'Vigil' Providence Lead with $13,000

PROVIDENCE, Feb. 20.—Despite the blizzard which crippled business the last two days, business continued good with "Vigil in the Night" and "The Marines Fly High" giving the RKO Albee $13,000.

Estimated takings for the week ending Feb. 13-15:

"Vigil in the Night" (RKO)
"The Marines Fly High" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $13,000. (Average, $6,000)
"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (75c-$1.10-$1.65) 7 days, 3rd week. Gross: $28,000. (Average, $11,000)
"The Fighting 69th" (W.B.)
"Danger On Wheels" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days, 2nd week. Gross: $11,000. (Average, $7,000)
"The Light that Failed" (Para.)
"Jeepers, Creepers" (Rep.)
STRAND — (2,200) (25c-35c-50c) 7 days. Gross: $6,300. (Average, $6,000)
"Irish Luck" (Mono.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show featuring Frankie Darro in person and Jans & Lynton; The Banfields; Elaine Dowling; Judson Cole; and Wilson and Gardner. Gross: $6,000. (Average, $6,500)
"Convicted Woman" (Col.)
"Village Barn Dance" (Rep.)
CARLTON — (1,526) (25c-35c-50c) 7 days. Gross: $2.500. (Average, $3,500)
"Balalaika" (M-G-M) (3 days)
"Cisco Kid and the Lady" (20th-Fox) (3 days)
"Hunchback of Notre Dame" (RKO) (4 days)
"Everything Happens at Night" (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross $1,650. (Average, $1,700)

'Girl Friday' Gets $10,500, St. Louis

ST. LOUIS, Feb. 20.—"His Girl Friday" drew a neat $10,500 for its second week at the Ambassador. "Gone With the Wind," still strong, grossed $46,000 in its third week.

Estimated grosses for week ending Feb. 15:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $46,000. (Average, 25c-40c-55c-scale, $13,000)
"His Girl Friday" (Col.)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $10,500. (Average, $11,500)
"My Little Chicadee" (Univ.)
"Invisible Stripes" (W.B.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $13,000. (Average, $11,000)
"Remember the Night" (Para.)
"Brother Rat and Baby" (W.B.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,800. (Average, $4,000)

'Wind' Holds Pace in Loop With $64,100

CHICAGO, Feb. 20. — "Gone With the Wind" continued to keep the record pace of previous weeks and garnered $64,100 at the Woods and Oriental, to lead the Loop. "The Light That Failed," at the Apollo, did an excellent $11,300.

Estimated takings for the week ending Feb. 14-17:

"The Light that Failed" (Para.)
APOLLO — (1,400) (35c-55c-75c) 7 days. Gross: $11,300. (Average, $6,000)
"Little Old New York" (20th-Fox)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Louis-Godoy fight films. Stage: Gertrude Niesen with revue. Gross: $28,600. (Average, $32,000)
"Earl of Chicago" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $4,800. (Average, $5,000)
"Gone With the Wind" (M-G-M)
ORIENTAL — (3,200) (75c-$1.10-$1.50) 7 days, 3rd week. 3 shows daily. Gross: $47,500. (Average, $13,000)
"My Little Chickadee" (Univ.)
"Oh, Johnny" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $8,300. (Average, $12,000)
"Fighting 69th" (W.B.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $8,800. (Average $11,000)
"Nick Carter, Master Detective" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-50c) 7 days. Stage: "A Night in Moulin Rouge" Revue. Gross: $24,800. (Average, $12,000)
"Balalaika" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $15,600. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days, 3rd week. 2 shows daily. Gross: $16,600.

'Wind' at $25,600 Tops Kansas City

KANSAS CITY, Feb. 20. — "Gone With the Wind" took $25,600 in its third week at Loew's Midland. The Newman did $8,000 with "Geronimo."

Estimated takings for the week ending Feb. 13-15:

"Little Old New York" (20th-Fox)
ESQUIRE — (800) (25c-40c) 5 days, 2nd week. Gross: $1,500. (Average, 5 days, $1 800)
"Gone With the Wind" (M-G-M)
MIDLAND—(4,000) (75c-$1.12) 7 days, 3rd week. Gross: $25,600.
"Geronimo" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $8,000. (Average, $7,000)
"Vigil in the Night" (RKO)
"Marines Fly High" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Young As You Feel" (20th-Fox)
TOWER—(2,200) (25c) 7 days. Stage: Ada Brown, Don & Bette Lynne, Billy Blake. Gross, $6,200. (Average $6,000)
"Little Old New York" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 5 days, 2nd week. Gross: $2,300. (Average, 5 days, $2,800)

'Wind' Ends Omaha Run, Pulls $10,000

OMAHA, Feb. 20.—"Gone With the Wind" pulled $10,000 for its third and final week at the Paramount.

Estimated takings for the week ending Feb. 15-16:

"Green Hell" (Univ.)
"Private Detective" (F.N.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,200. (Average, $4,000)
"Invisible Stripes" (W.B.)
"Our Neighbors, The Carters" (Para.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $5,200. (Average, $6,000)
"Little Old New York" (20th-Fox)
"Man Who Wouldn't Talk" (Para.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,800. (Average, $7,600)
"Gone With the Wind" (M-G-M)
PARAMOUNT—(3,000) (75c-$1.10-$1.50) 7 days, 3rd week. Gross: $10,000. (Average, $16,500)

U.S. Quizzes Work on Universal Data; Hears Balaban Next

(Continued from page 1)

and Adolph Schimel of the home office legal department.

Counsel interposed only two objections, other than to the final question. The first came after Work had testified that in making talent loans the question of what theatres the com[illegible]d picture would play had no bear[illegible]on whether or not the loan would be made.

Wright made another attempt to establish that a producer's access to theatres was the determining factor in making talent loans and Raftery objected to this as "arguing" with the witness after his testimony had been given.

Objection to Questioning

The second objection came after Wright had questioned Work at length on his business background, dating back to 1905. Raftery objected to the "whole line of questioning as too remote," and John Caskey of Dwight, Koegle & Caskey, 20th Century-Fox counsel, added the objection that these questions did not refer to Universal.

Work detailed the method used by Universal in the exchange of talent with producers which he termed "the four and three formula." Under this system, Universal requires payment of $7,000 for a minimum of four weeks and a $3,000 bonus for the use of a star who oridinarily draws $1,000 weekly, he explained. Payment of the star's regular salary, if he is used beyond the four-week period, is asked by Universal, Work said.

His company frequently deals with independent producers who make pictures for Universal, Work declared. For the 1940-41 season, at least 10 pictures will be made by independents, Government attorneys were told.

Deals With Lloyd and Mayfair

Work pointed out that Frank Lloyd has agreed to make six films in the next two years for Universal and that Mayfair Productions will produce a minimum of two pictures. Universal also has made unsuccessful efforts to sign up Frank Capra to produce films for it, he added.

Work explained that one of the factors considered in preparing a season's program is the probable gross of each film. In response to a question as to how a company could determine gross before release of a picture, the Universal executive said, "If we didn't know what they were going to gross, we wouldn't be in business very long."

In borrowing and lending talent, no distinction is made between independent and major producers, Work asserted. To illustrate this point, he stated that Universal had borrowed players from Republic Pictures and had reciprocated by lending its own talent to Republic.

According to his testimony, Work owns no interest in any theatres or in any other motion picture concern.

Next Examination March 4; Balaban, Agnew to Testify

Due to the unavailability of RKO executives this week there will be no further pre-trial examinations of company officers by the Government in the New York anti-trust suit until March 4. On that date, the Government will examine Barney Balaban, Paramount president, and Neil F. Agnew, vice-president and distribution head.

Ned E. Depinet, RKO vice-president and distribution head, who had been scheduled for examination today, was excused to permit him to make a business trip. William Mallard, RKO general counsel, who was substituted for Depinet, subsequently was excused due to a death in his family. Other RKO executives were not available but will be examined at later dates.

Unions to Keep 10% Increase, Says Bioff

(Continued from page 1)

figures, but none was forthcoming," Bioff said. "The producers asked to have the wage and hour situation arbitrated, but we said we wouldn't do that. We intend to keep our wage increase."

Bioff added that before the unions will consent to a wage cut, studios will have to show retrenchments in production costs and slashes in all big salaries for contract players, stars, directors, writers, etc.

The I.A. leader added:

"The studio unions are entitled to what they're asking, and they intend to fight to the last ditch."

Conference Rejects Bioff Resignation, Praises Him

HOLLYWOOD, Feb. 20.—The Conference of A. F. of L. Studio Unions today refused to accept the resignation of William Bioff, its chairman, and in a resolution excoriated the action of Governor Olson in signing extradition papers at the request of "CIO, the Communist party and anti-labor employer groups."

The Conference voted to continue discussions with producers on the 10 per cent wage increase controversy and also to push negotiations for improved working conditions.

Hal Mohr, president of Photographers Local No. 659, I.A.T.S.E., was added to the negotiating committee.

One spokesman for the Conference said: "We want Bioff to negotiate for us even if he has to use the long distance telephone to do it."

The resolution lauded Bioff's efforts in negotiating wage increases for studio crafts.

'Remember' Scores $21,500 in Buffalo

BUFFALO, Feb. 20.—"Remember the Night," aided by Martha Ray and her revue on the stage, did $21,500 at the Buffalo, second only to the $25,500 made by "Gone With the Wind" in its third week at the Great Lakes.

Estimated takings for the week ending Feb. 17:

"Remember the Night" (Para.)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Martha Ray and her revue on stage and D'Artega and orchestra. Gross: $21,500. (Average, $12,000)

"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (75c-$1.10-$1.50) 7 days, 3rd week. Gross: $25,500. (Average at 30c-50c, $7,500)

"A Chump at Oxford" (U. A.)
"Young As You Feel" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $8,000. (Average, $6,800)

"The Return of Dr. X" (W. B.)
"Mexican Spitfire" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $6,800. (Average, $6,800)

"Tower of London" (Univ.)
"Little Accident" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $11,700. (Average, $6,300)

'Legal Bicycling'

"Legal bicycling" will be used by M-G-M to show "Gone With the Wind" at the Naval Academy at Annapolis on Feb. 28. With the only print in the city being used for the regular run at the Circle Theatre, each reel of the 24-reel film will be "bicycled" to the Academy auditorium as it is run off at the theatre's matineee performance.

Walker Gives Views On N.Y. Film-Making

Former Mayor James J. Walker believes that not more than 10 per cent, and probably less, of the industry's total production can be centered in New York.

"We cannot expect a 200 million dollar industry to be moved bodily from Hollywood to New York," he said. "But a small part of it can be set up here, and I believe it will."

Walker supports Mayor LaGuardia's move to revive production here and plans to confer with him again on the subject. During the years that Walker was Mayor there was considerable production in New York by the major companies and others.

The former mayor, who lately has been renewing contacts in the film business, believes "it is feasible to create a strong national organization of exhibitors, such as we had years ago."

Walker said he referred to the M.P.T.O.A., of which he was general counsel in its early davs.

Rule Games Illegal In North Carolina

RALEIGH, N. C., Feb. 20.—Attorney General Harry McMullan of North Carolina has ruled that theatre Bank Night is illegal in the state.

In response to queries as to the legality of various forms of theatre games, where prizes are given to holders of certain numbers, the attorney general declared:

"The attorney general's office has taken the position that all forms of Bank Night are in violation of the state laws on lotteries and inquirers have been so informed, but Bank Night continues to be held in some localities of the state. The attorney general can only issue rulings, the enforcement of laws being in the hands of local officials and prosecutions in the hands of district solicitors."

Roosevelt, Argosy Set First U. A. Films

HOLLYWOOD, Feb. 20. — James Roosevelt, president of Globe Productions, today disclosed that his first film for United Artists release will be based on the life of the noted American educator, Horace Mann. Houston Branch has been assigned to write the screenplay.

John Ford's recently formed Argosy Corp. has bought Eugene O'Neill's "The Long Voyage Home" as its first production. It will be directed by Ford from a screenplay by Dudley Nichols on the Walter Wanger lot and with Wanger facilities. The film will be distributed in 1940-'41 as one of the Wanger releases for United Artists.

DRUMS OF FU MANCHU
Suggested by stories by
SAX ROHMER
with
HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
A Republic SERIAL IN 15 CHAPTERS
"Good work, Allen. If we hadn't trapped his leaders, Dr. Fu Manchu would have thrown all Asia into war."

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

FEBRUARY 16
Cinecolor
POPULAR SCIENCE #4

FEBRUARY 23
Grantland Rice Sportlight
HUMAN FISH

MARCH 8
Headliner
GEORGE OLSEN
AND HIS ORCHESTRA

MARCH 8
Popeye Cartoon
FEMALES IS FICKLE

100% BOX OFFICE tested

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 26	The Lone Wolf Strikes (G-D) *Warren William*	Lambeth Walk (C) *Lupino Lane*	Pioneer Days (G-O) *Jack Randall*	Santa Fe Marshal (G-D) *William Boyd*	Wolf of New York (D) *Edmund Lowe*	Saint's Double Trouble (G-D) *Sanders-Whitney*	High School (G-C) *Jane Withers*		Green Hell (G-D) *Joan Bennett Fairbanks, Jr.*	Fighting 69th (G-D) *Cagney-O'Brien-Brent*
Feb. 2	Pioneers of Frontier (O) Convicted Women (D)	I Take This Woman (G-D) *La Marr-Tracy*	Chasing Trouble (G-D) *Frankie Darro*	Parole Fixer (G-D) *William Henry*	Village Barn Dance (G-M) *Cromwell*	The Marines Fly High (G-D) *Dix-Ball*	The Man Who Wouldn't Talk (D) *Lloyd Nolan*		Danger on Wheels (D) *Arlen-Devine*	Calling Philo Vance (G-D) *Stephenson*
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (G-M) *Astaire-Powell*	East Side Kids (D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (A-D) *Lombard-Aherne*	Little Old New York (G-D) *Faye-MacMurray*		My Little Chicadee (A-C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (G-D) *Del Rio-Beery*	Cheyenne Kid (G-O) *Jack Randall*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (G-D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore Johnnie Downs*	
Mar. 1	Blondie on a Budget (C) *Arthur Lake Penny Singleton*	Strange Cargo (D) *Clark Gable Joan Crawford*	Rhythm of Rio Grande (G-O) Torpedo Raider (D)	Seventeen (G-D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Grapes of Wrath (A-D) *Fonda-Darwell*	House Across the Bay (D) *Joan Bennett George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (G-D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (D) *Bela Lugosi*	Showdown (O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (D) *Gargan-Ford*			Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (G-D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (D) *Drew-Paige*	Forgotten Girls (D) *Donald Woods*	Millionaire Playboy (C) *Joe Penner*	Chan in Panama (G-D) *Sidney Toler*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*	Florian (D) *Robert Young*		Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (O) *Gene Autry*	Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29	I Married Adventure (D) *Mrs. Johnson*	Dr. Kildare's Girl (D) *Lew Ayres L. Barrymore*	Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*	Ghost Valley Raider (O) *Donald Barry*	Irene (M) *Anna Neagle Ray Milland*	Free, Blonde and 21 (A-D) *Bari-Davis*	Over the Moon (D) *Merle Oberon*		
Apr. 5	Blazing Six Shooters (O) *Starrett*		Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*		Courageous Dr. Christian (D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	1,000,000 B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	
Apr. 12			Covered Wagon Trails (O) *Jack Randall*	Dr. Cyclops (D) *Albert Decker Janice Logan*		My Favorite Wife (D) *Dunne-Grant*	Cisco Kid in Chicago (D) *Romero*		Black Friday (D) *Karloff-Lugosi*	

Tips on Exploitation

Cinderella Stunt Planned for 'Wind'

ROME, N. Y., Feb. 20.—Joe Kallet has worked out a tiein for advance exploitation of "Gone With the Wind," which opens at the Capitol here Feb. 28. Kallet, in conjunction with Jack Walsh, M-G-M exploiteer f[illegible] the Albany office, has one of the dresses used by Vivian Leigh in the picture on display in a department store. The Rome *Sentinel* is running a contest in conjunction with Kallet, to find the girl who can best fit the measurements of Vivian Leigh.

The winning contestant will appear at the opening performance with Rome's sole Confederate soldier, one of the few left North of the Mason and Dixon line.

National Guard Unit Aids '69th' Opening

MIDDLETOWN, N. Y., Feb. 20. — Harry C. Stowell, manager of the Paramount, arranged with the local National Guard company for two motorized field units to be placed in front of the house at the opening of "The Fighting 69th." The company paraded to the house, accompanied by their drum and bugle corps.

Contest Plugging 'Passage' Opening

In connection with the world premiere of "Northwest Passage" at the Pinney, Boise, Idaho, yesterday, a contest was held to find a local girl whose physical measurements most nearly approach those of Ruth Hussey, who plays Elizabeth Browne in the picture. The winner served as official hostess at the opening, wearing a costume used by the actress in the role.

'Edison' Advance Campaign Is Set

M-G-M's advertising compaign on "Young Tom Edison" includes reference to "Edison the Man," second film on the inventor, now in production. First of a series of advance ads appeared in papers Feb. 11, anniversary of Edison's birth. Ads are being run in 133 papers with a combined circulation of 25,000,000. Full-page ads will appear in 17 magazines.

Niagara Falls Tieup On 'Many Husbands'

Exploitation on Columbia's "Too Many Husbands" features a tieup with Mayor Ernest Mirrington of Niagara Falls, capitalized in the 24-sheet campaign as the "honeymoon heaven." The city is sending out circulars and other material to attract honeymooners, in a tieup on the film.

Paramount Sponsors Song Writing Test

Paramount has closed a deal with Fawcett Publications for a song-poem contest in *True Confessions Magazine.* The winner will be paid regular royalties for copies sold, recordings and other income. In addition to radio time and sheet music publication, the song will be featured in a forthcoming Harry Sherman production for Paramount.

Theatre and Personnel Notes

Griffith Opens House

OKLAHOMA CITY, Feb. 20. — The Griffith Amusement Co. has opened a new theatre, the Seminole, in Seminole, Okla., with Foster Lyman as manager. The circuit has acquired the Pettit from Fred Vincent at Hominy, Okla.

Closes One, Reopens Another

KANSAS CITY, Feb. 20.—The Lyric at Marysville, Kan., has been closed by Lee Sproule, and the Isis there reopened by the same operator. Sproule has installed new booth and projection equipment and otherwise remodeled the house.

Manages in Philadelphia

PHILADELPHIA, Feb. 20.—William F. Gerst, publicity director for William C. Hunt's theatres in southern New Jersey resorts has taken over the management of Hunt's Rockland here. He will stay here until the regular summer season starts.

Sells Black Hills Interest

DENVER, Feb. 20.—Leo Peterson has sold his interest in the Black Hills Amusement Co., to Charles Klein and John A. Bertalero, the other partners. Bertalero will also manage the company houses in Rapid City, S. D.

Plans Iowa Theatre

DES MOINES, Feb. 20.—The Pioneer Theatre Corp. has leased a building at Spencer, Iowa, which is being remodeled for a theatre. The new theatre will give the company three in Spencer.

Sells Oklahoma House

PERKINS, Okla., Feb. 20.—Charles Hudgens has sold the Lyric here to W. J. Martin, operator of theatres at Jay, Disney and Oilton, Okla., The Lyric is a 300-seat house.

Altec Contract Renewed

The Schine Circuit has renewed service contracts with Altec for 110 theatres in New York State, Ohio, Maryland, and Kentucky. Bert Sanford negotiated for Altec.

Austin Back in Denver

DENVER, Feb. 20.—Vern Austin has returned to Denver after resigning as manager of the State, a Robert Mapel house, at North Platte, Neb. He was succeeded by his brother, Lee Austin.

Building in Illinois

ST. LOUIS, Feb. 20.—Harry Tanner, theatre owner at Pana, Ill., is building another house there, to be named the Roseland.

Buys House in Iowa

ALLISON, Ia., Feb. 20.—C. L. Spenser, of Waterloo, Ia., has purchased the Allison from H. L. Germer. The theatre is being remodeled.

Remodel K. C. Liberty

KANSAS CITY, Feb. 20.—The Liberty, downtown subsequent operated by Dubinsky Brothers, is being remodeled.

Rogatnick Transferred

KANSAS CITY, Feb. 20.—Joseph Rogatnick has been transferred from Minneapolis to the Universal exchange here as district booker.

Milady's Losses

San Francisco, Feb. 20.—A late model, streamlined corset is among lost articles of last year's collection still uncalled for at the Fox here. Total losses for the year exceeded 1,600 articles. Ninety per cent belonged to women, and 65 per cent of these feminine losses were gloves!

Three Join Warners

CLEVELAND, Feb. 20. — Nat Wolf, division manager of Warner Ohio theatres, has made three additions to the advertising department. Emanuel C. Pearlstein will be in charge of all publicity and advertising for Warners' houses in Ohio. David Bachner is his new first assistant and publicity director for the Hippodrome with Arnold Nathanson his assistant.

Evergreen Circuit Changes

SPOKANE, Wash., Feb. 20.—Evergreen Theatres have made several manager changes. J. C. Ewing, recently with the Seattle office of Universal, disposed of theatre interests at Bonners Ferry, Idaho, to take charge of the Orpheum. Williard R. Seale moved from the Orpheum to the Liberty, replacing E. A. Rose, resigned.

Heads Theatre Company

SPOKANE, Wash., Feb. 20.—Mrs. Edna Wilma Simons, Missoula, Mont., was elected president of the Dream Theatre Corp. at the annual meeting of stockholders in Coeur d'Alene, Idaho. E. K. Taylor was named vice-president, and Fred Ketch, secretary-treasurer.

Howard Replaces Wahl

OKLAHOMA CITY, Feb. 20.—Ross Howard has replaced Don Wahl at the 20th Century-Fox exchange here as assistant ad sales manager. Wahl recently went to the Memphis exchange as ad sales manager.

Renew Altec Contract

Theatrical Managers, Inc., have renewed contracts for Altec service for 14 theatres and have added the Strand, in Muncie, Ind., to the service contract. F. C. Dickely and E. C. Shriver negotiated for Altec.

Plan Drive-In Theatre

MILWAUKEE, Feb. 20.—A building permit has been let for the construction of a $30,000 drive-in outdoor film theatre just west of the city to accommodate 700 cars. The theatre will be the first of its kind in Wisconsin.

Malco Buys Theatre

HOT SPRINGS, Ark., Feb. 20.—The Malco Theatre Corp. has purchased the Star here from J. G. Blaschke. The theatre will be remodeled. C. H. DuVall will be manager.

Open Vancouver Theatre

VANCOUVER, B. C., Feb. 20.—Formerly operated only a few weeks of the year for presentation of stage plays, the Little Theatre has been completely renovated and re-equipped as a suburban motion picture house.

Plan Indianapolis Drive-Ins

INDIANAPOLIS, Feb. 20. — This city will have two drive-in theatres this summer. In addition to one now under construction on the northwestern edge of town, work will begin soon on a $60,000, 500-automobile outdoor house in Broad Ripple amusement park. The park is owned by Oscar Baur, Terre Haute brewer.

Quits Oklahoma House

PAWHUSKA, Okla., Feb. 20.—Ray Wellman, manager of the State here, operated by Southwestern Theatres, Inc., of Oklahoma City, has resigned and been replaced by Charles Mohler.

Reopen in Schenectady

SCHENECTADY, Feb. 20.—The New Metro, formerly the Mount Pleasant, has reopened under the operation of Robert Brodkin, New York exhibitor, after complete renovation.

Acquires Oklahoma Theatre

OKLAHOMA CITY, Feb. 20.—F. R. Moran, office manager for the Republic exchange here, has acquired the Ritz, 350-seat house in Pawnee, Okla.

Close Watervliet House

WATERVLIET, N. Y., Feb. 20.—The Empire, reopened for several weeks by Yawchak & Monticup, has closed again.

Building Long Island City House

Morris Keutisker is erecting a new 600-seat theatre in Long Island City. House is expected to open June 1.

Highbridge House Sold

Highbridge, Highbridge, N. J., has been acquired by the Highbridge Corp., of which John Geyser is head.

Pace Buys Theatre

AUDORN, Ia., Feb. 20.—Harry Pace has purchased the Capitol at Hartley, Iowa, from C. E. Werden.

Shea Opens Theatre

BUFFALO, Feb. 20.—Shea Theatres has opened the Lackawanna here. Robert W. Case is manager.

Leases St. Louis House

ST. LOUIS, Feb. 20.—Tony Matreci, manager of the Uptown, has leased the Lyric in downtown St. Louis.

Gaiety to Be Demolished

The Gaiety, 600-seat Cocalis unit in Elizabeth, will be demolished.

Charter Cinema Club

CINCINNATI, Feb. 20.—Articles of incorporation have been filed by the Cincinnati Cinema Club, No. 1, which is described as purely social in character. Membership is limited to film and accessory salesmen serving the industry. Incorporators are Rudy Knoepfle, Republic salesman, Pete Niland, Columbia salesman, and John M. Allen, M-G-M salesman.

'Commandment' Remake

HOLLYWOOD, Feb. 20. — Tyrone Power will be starred in "The Great Commandment," which 20th Century-Fox will remake from a film produced by Cathedral Pictures. Irving Pichel, director of the original, will guide the remake.

RCA Awaiting FCC's Signal For 'Tele' Sets

RCA will abandon efforts to market television sets on a large scale unless the F.C.C. grants permission for limited commercialization for the new medium, briefs submitted to the Commission by RCA attorneys declare. Construction of facilities for network telecasts will be begun if such permission is granted, the briefs state.

RCA does not ask for the freezing of standards but asks for the present adoption of RMA standards.

"Of course, receiving sets will be improved from year to year as automobiles are improved from year to year, but there is nothing now upon the technical horizon which gives any indication that any fundamental change is imminent," the briefs stated.

"Hundreds will be given employment in the manufacture of new sets, and thousands will find new ways to earn a livelihood in this new industry. Without limited commercialization, RCA will not engage in the large-scale manufacture of television receiving sets (with the resulting employment of hundreds of workers), and we believe this same thing is true of others in the industry.

"If limited commercialization is permitted, RCA will begin the construction of facilities for the automatic relay by radio of television programs between New York and one or two other cities. If limited commercialization is denied, there will be no support for such an undertaking."

Warners Are Sued Over First Run Pact

New Haven, Feb. 20.—Seeking $25,000 damages and an injunction restraining performance of second run contract in Windsor, the Lampert Theatre of Windsor, Inc., has brought suit against Warners, returnable March 5 to the Superior Court for New Haven County.

The complaint, signed by Herman M. Levy, alleges that the plaintiff, operator of the 600-seat Windsor, Windsor, Conn., purchased a first-run contract from Warners in September, 1939, with the understanding that the company would not sell a second-run in Windsor. Subsequently, it is claimed, Warners sold second run with a clearance of 14 days to the competitive Plaza Playhouse, operated by Max, Maurice and Joseph Shulman of Hartford.

Newark Suit Names Majors, M. P. P. D. A.

An anti-trust suit naming the M.P.P.D.A. in addition to eight major distributors was filed in Federal court at Newark by Westor Theatres and Janbert Amusement Corp., present and former operators of the Windsor, West Orange.

The action alleges violation of the Sherman and Clayton anti-trust laws and asks triple damages of $279,000.

Defendant companies had not been served in the action yesterday and, unaware of its existence, declined to comment.

RADIO BREVITIES

FINNISH Relief Fund is offering exclusive rights to broadcast the All-Star baseball game at Tampa, Fla., to the major networks, and is seeking competitive bids for the rights. Any funds received will be used for relief purposes. No appeal for contributions will be made over the air, but the Fund will be mentioned. Gate receipts at the game also will go to the Fund.

More Stations Drop Coughlin

Stations carrying the Sunday talks of the Rev. Charles E. Coughlin have dropped from 60 to 45, according to the N.A.B., as the result of the adoption of the broadcasters' code last Fall. Father Coughlin's contracts with N.A.B. stations will expire on Sept. 1 and will not be renewed, it was said.

Personalities in the News

John E. Finneran, formerly vice-president of Benton & Bowles, has joined Warwick & Legler as a vice-president. . . . Milton Katims, Mutual's conductor, will be soloist at a "Friends of Music" concert at Town Hall on Sunday, March 3. . . . Bea Wain will be interviewed by Rosalind Sherman over WNEW tonight at 7:30 P. M.

"Lone Wolf" in Air Show

"Good News of 1940" will dramatize a scene from the Columbia film, "The Lone Wolf Strikes," over NBC-Red tomorrow evening. Warren William and Eric Blore, who appear in the film, and Iris Meredith will be heard.

Program News

Bill Stern will be sponsored by Axton Fisher Tobacco Co. in a series of sports commentaries for 52 weeks over WJZ, starting Monday, March 4. Stern will be heard Mondays through Fridays for 10 minutes at 6:15 P. M. . . . Bond Stores return as sponsors of the 7:15 to 7:30 A. M. part of Phil Cook's "Morning Almanac" over WABC, starting March 4. . . . Edgar Bergen is reported to be considering bringing his show to New York for several weeks in the near future. . . . More than 2,000 applications have flooded WHN since former Mayor James J. Walker announced he would preside over the "Original Opportunity Hour."

'Northwest Passage' Opens in Idaho City

Boise, Idaho, Feb. 20.—M-G-M's "Northwest Passage" was given its world premiere at the Pinney Theatre here tonight. Attending from the studio were Ilona Massey, Isabel Jewell, Virginia Grey and Alan Curtis. At the opening were Gov. C. A. Bottolfsen of Idaho, Mayor J. L. Straight of Boise, officials of the state and other Idaho cities. The opening was broadcast over KIDO and a western NBC network.

RKO Claims Hearing

Hearing on an application to fix three claims against RKO was set for March 5 at 2:30 P. M. by Federal Judge Bondy yesterday. Claims are those of RCA for $18,565, Lehman Bros. for $9,098 and Lehman Corp. for $4,511. They are based upon an agreement made by RKO in floating an $11,600,000 loan in 1931 to pay for transfer taxes.

262 in Broadcast Music

Sixteen additional stations have joined Broadcast Music, Inc., during the past week, bringing the total to 262, Neville Miller, president, stated yesterday. Miller also disclosed that Milton Rettenberg, composer and arranger, and Robert B. Sour, lyricist, have been added to the BMI staff.

Fashions via Television

A three-ring fashion parade will be presented by NBC's television station in three metropolitan department stores on Friday from 2:30 P. M. to 3:30. Receivers will be installed at Franklin Simon's, Loeser's in Brooklyn, and Bamberger's in Newark. Fashion editors will be taken aloft in a United Airlines plane in which a television set has been installed.

Honor WOR's Staff

The technical staff of WOR's transmitter will be honored by Western Electric Co. at a luncheon today at the Hotel Astor when F. R. Lack, representing W.E., will present a plaque to J. R. Poppele, WOR chief engineer, for flawless performance during 1939. WOR operated 8,221 hours last year without a single power failure.

English Bank Credit Only for Quota Films

London, Feb. 20.—The Films Council today determined that only films fulfilling the stipulations of the present Quota Act may be financed by the proposed Film Credit Bank. The decision followed a long argument over the demand of labor that films financed by the Credit Bank use 100 per cent English personnel.

The Cinematograph Exhibitors Association executive council today completed its views on new film legislation for submission to the Board of Trade. It is understood that the memorandum will suggest a maximum 10 per cent exhibitor quota. Exhibitors claim they need 30 to 40 American-sponsored films and a reserve of independent production.

British producers are urging British films subsidized by the Credit Bank and to be distributed through an independent Government organization.

W. B. Loses Equity Plea over 'Romeo'

Actors Equity council yesterday denied the request of Warner Bros. for five weeks of rehearsal time for the production of "Romeo and Juliet," which will star Laurence Olivier and Vivian Leigh. Warners based its request on the fact that the show would be a spectacle and therefore came under Equity's rules relating to spectacles.

Theatres Rely More on Radio To Aid Grosses

Broadway film and legitimate stage theatres have turned to spot announcements to bolster their grosses and local radio stations have shown a marked increase in revenue from these sources in the past six months, a survey reveals.

WNEW yesterday announced the signing of two one-year contracts with Paramount and 20th Century-Fox and the Roxy. Paramount will sponsor three quarter-hours per week on the "Make Believe Ballroom" program for films to be exhibited at the Paramount. 20th Century-Fox has signed for 251 spot announcements to be used during the year for films at the Roxy and other houses.

WQXR also has a one-year contract with Fox for spot announcements.

Principal users of spot announcements in the legitimate field are the Shuberts for "Hellzapoppin'," "Streets of Paris" and "Folies Bergere." Herman Shumlin and the Playwrights Company have also used spot announcements on local stations.

The Duane Theatre Corp. sponsors "Harlem Amateur Night" over WMCA. It originates from the Apollo. M-G-M, Columbia and United Artists also have used spot announcements for some films, but Paramount and Fox are the most consistent advertisers.

WNEW is the station used most, the survey reveals, with WOR, WQXR, WMCA and WHN following in close order. WHN is used considerably by Loew's, which owns the station but other film companies and stage producers also have purchased time.

Six Pre-Releases Set for 'Cyclops'

Paramount has scheduled six pre-release test engagements of "Dr. Cyclops" in as many cities and has assigned special exploitation men to handle each engagement.

The "tests" will be conducted in Kansas City and Denver, March 6, with Maxwell Joice and Leon Benson, respectively, handling the exploitation; Hartford and Providence, March 7, with Thomas Jefferson on exploitation; Altoona, March 8, with Charles Perry on exploitation, and Nashville, March 9, with Bud Getschall on exploitation.

National release has been set for April 5.

Clarify New York's Admission Tax Law

Albany, Feb. 20.—Senator Thomas C. Desmond and Assemblyman Abbot Low Moffat have proposed an amendment to their public housing law to avoid the confusion now existing on the municipalities' permissive tax on tickets to help defray housing costs.

The amendment clarifies the law, calling for a tax of one cent on admissions up to 50 cents and two cents on tickets from 51 cents to 99 cents. In the existing law it was not clear whether 50-cent tickets were liable to a one or two-cent tax. As yet no municipality has levied an admission tax.

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[illegible]L. 47. NO. 38 NEW YORK, U. S. A., FRIDAY, FEBRUARY 23, 1940 TEN CENTS

Fox Discloses Profits, Para. Guards Facts

Companies File Answers To Trust Suit Queries

Twentieth Century-Fox Film Corp. and Paramount Pictures on Wednesday filed answers in U. S. District Court to the first 24 Government interrogatories covering details of their financial structure and that of their affiliated companies.

Paramount treated 11 of these questions as being confidential in nature, refusing to reveal its figures on profits, grosses and financial obligations. Twentieth Century-Fox, on the other hand, filed answers to all 24 questions.

Twentieth Century-Fox set forth a complete list of its stockholders. Of those holding common stock, the largest are Chase National Bank, 221,157 shares; General Theatres Equipment Corp., 185,600 shares; William Goetz, 184,642 shares; Darryl F. Zanuck, 122,129 shares; and Joseph M. Schenck, 12,542 shares.

The three principal holders of preferred stock of the company are stated to be Chase National Bank

(*Continued on page* 11)

Sign 200 Publicists To Studio Contracts

Hollywood, Feb. 22.—One year and five days after the start of negotiations, individual studios yesterday began the signing of Screen Publicists Guild contracts. Approximately 200 publicity department members in 14 studios are affected. Contracts cover wages or working conditions, or both.

The contract was signed by the Guild on Tuesday and sent to the studios yesterday morning from the office of Pat Casey, producers' labor contact. Only the Sol Lesser Productions and Selznick International are not parties to the contract.

The contract will take effect as

(*Continued on page* 11)

Ross Executives Set Miami Beach Parley

Executives of Ross Federal Service Corp. will hold a conference in Miami Beach next week. Harry A. Ross, president, is already at the Southern resort, and other executives are expected to leave here over the weekend.

Chicago Drive Hits Free Tavern Films

Chicago, Feb. 22.—Police have started a campaign to halt the showing of 16 mm. sound pictures in taverns, claiming that keepers do not have film permits. Breweries have been supplying equipment and films. Pictures shown are usually fight films and travelogues.

Roosevelt Decides To Produce Films For Slot Machines

Hollywood, Feb. 22.—James Roosevelt, president of Globe Productions, shortly will begin production of short subjects designed for automatic projectors. The plan was disclosed with the signing of a contract yesterday between Globe and Mills Novelty Co., the largest distributor-manufacturer of automatic entertainment machines.

Roosevelt will produce one short subject in sound each week at the United Artists Studio, in either 16 mm. or 35 mm., to meet the needs of various models of automatic machines. The average length of the subjects will be two and a half to three minutes, but the lengths will vary.

The contract calls for the immediate incorporation of a separate company owned jointly by Globe and Mills, for the leasing of equipment and the distribution of the subjects.

There have been various plans in the past for the creation of "cocktail lounge circuits," through the use of automatic projectors which would project a short film for a nickel or a dime, but this is believed to be the first deal calling for actual production. Globe will make the shorts in addition to its regular feature releases for United Artists release.

'Wind' Surpasses $9,000,000 Gross; Atlanta Run Ends

Hollywood, Feb. 22.—"Gone With the Wind" has passed the $9,000,000 gross mark!

This was the figure reached at the beginning of the current week and is computed on actual theatre receipts, according to William F. Rodgers, Metro-Goldwyn-Mayer general sales manager, currently here conferring with studio officials.

"The surface hasn't even been scratched," said Rodgers in reporting that the sum represents receipts at slightly more than 200 theatres.

A total of 517 bookings has been set on "Gone With the Wind" in 477 cities. In some of these cities, the film has already terminated its initial run.

At the 70 per cent figure net as rent-

(*Continued on page* 11)

Biggest Production Year for Republic

Hollywood, Feb. 22.—Republic's heaviest production program in its history will be effected during the next four and a half months, Herbert J. Yates, chairman of the board, announced in disclosing that 16 features and 11 westerns will be finished and released by July 1.

Here with James R. Grainger, Republic president, for conferences with Western division sales managers and studio executives on the forthcoming quarter, Yates said that two features, "Women in War" and "Wagons Westward," would have high budgets. Republic's top budget release for the Spring will be "The Dark Command," now nearing completion. Another fea-

(*Continued on page* 8)

Tabloid Plays Revived But Film Houses Doubt Vogue

Broadway houses on a stage show policy are not enthusiastic about the practical advantages of presenting one-hour condensations of stage plays in connection with film programs.

Such a condensation of "Kiss the Boys Goodbye" is being offered currently at the Palace, Stamford, Conn., where it was booked for one week on a test basis through the offices of the NBC Artists Service.

Operators of leading Broadway film and stage show houses point out that the idea has been tried before, although on no extensive scale since 1932 and 1933, and that it failed to prove its practicability as a regular policy at that time.

Such productions average about twice the cost of the usual stage shows and generally fail to draw unless the show has been a hit on Broadway and several big names are

(*Continued on page* 4)

Studio Unions To Arbitrate, Say Leaders

Ask Producers for Early Resumption of Talks

Hollywood, Feb. 22.—Studio unions will carry out their Nov. 25 agreement concerning arbitration of the 10 per cent wage increase issue, spokesmen for the Conference of American Federation of Labor Studio Unions said today.

This is in contradiction to statements made to the press in Chicago by William Bioff, I.A.T.S.E. leader, who tomorrow morning will have a hearing on a writ of habeas corpus under which he was released pending disposition of his case involving a 1922 unfinished jail sentence.

Bioff said that the unions would never surrender the wage boost until producers first showed that they had reduced production cuts and

(*Continued on page* 4)

New Air Contracts Drafted by Ascap

Ascap's new contracts for radio broadcasters, to replace current pacts expiring next January, will be discussed by the music licensing society's board of directors on Feb. 29.

Formula for the new contracts as developed by Ascap's radio committee, was discussed recently by Gene Buck, Ascap president; John G. Paine, general manager, and Charles Schwartz, Ascap counsel, in Phoenix, Ariz., where Buck is recovering from an illness. Paine will return to New York on Monday with Buck's recommendations, and the proposals will go to the board next Thursday. The board may

(*Continued on page* 11)

B. & K. Plans Test Of Single Features

Chicago, Feb. 22.—Balaban & Katz, starting Sunday, will experiment with single features in three of its largest suburban theatres to learn the public reaction.

Balaban & Katz has had a double feature policy for the past three years.

In view of B. & K.'s experiment, 11 independent houses, also on Chicago's West Side, have declared that they will follow suit and continue on

(*Continued on page* 11)

Purely Personal

LEONARD GOLDENSON, Paramount home office theatre executive, returned from a Southern business trip yesterday. LEON NETTER is expected from Florida on Monday, the last to return from the company's recent southern business meeting, which also drew AUSTIN C. KEOUGH, SAM DEMBOW, JR., and M. F. GOWTHORPE from the home office.

•

JOSEPH BERNHARD, general manager of Warner Theatres, is convalescing so satisfactorily at Lenox Hill Hospital that physicians are planning to let him begin handling correspondence from his bedside. However, no visitors are yet allowed.

•

FRED W. LANGE, general European representative for Paramount, who was expected here from Europe yesterday by *Clipper*, has been delayed at Lisbon. He is now scheduled to arrive this weekend, weather permitting.

•

J. A. MCCONVILLE, Columbia foreign manager, is scheduled to sail on the *Santa Elena* today for a two months' business trip to Central and South America and the West Indies.

•

MRS. ANNA RUTH MOSKOWITZ, mother of CHARLES C., JOSEPH, MARTIN, HARRY and ARTHUR MOSKOWITZ, was given a birthday party by her sons Wednesday night.

•

TOM WALKER, vice-president and Eastern representative of Hal Roach Prod., will leave the Coast by train for New York today.

•

WILLIAM J. LEE, father of ARTHUR LEE, Gaumont-British and Baird Television representative here, is seriously ill at his home.

•

LYNN FARNOL, United Artists advertising and publicity director, is expected back from the Coast on Monday.

•

JAMES MULVEY, SAMUEL GOLDWYN's eastern representative, is expected back from the Coast on Monday.

•

HARRY SHAW, Loew-Poli division manager in New Haven, and MRS. SHAW expect to leave for California and Mexico March 10.

•

LOU SCHAEFER, manager of the Paramount, New Haven, is continuing his work despite an eye operation.

•

PHIL GRAVITZ, M-G-M booker in New Haven, is recuperating after an emergency appendicitis operation.

•

JACK GILFORD will leave for Hollywood next week.

WANTED

Salesmen acquainted with exhibitors in the East to introduce a constructive box office stimulant. Premium men preferred. This offer endorsed by the National Committee for Education. Write National Committee for Education, 122 East 42nd Street, New York City or phone MUrray Hill 5-5190.

Present Quigley Awards March 12

HOLLYWOOD, Feb. 22.—Presentation of the 1939 Quigley Grand Awards to Ray Bell and Lige Brien will be held here March 12. The ceremonies will follow a luncheon to be given by Martin Quigley at the Victor Hugo Restaurant. Studio executives, stars and directors will attend.

The winners, who will arrive March 11 as guests of Quigley Publications, will be entertained in a program arranged by a committee of studio publicity directors.

Members of the committee are: Russell Birdwell, Russell Birdwell & Associates; Harry Brand, 20th Century-Fox; Walter Compton, Republic; J. Leroy Johnston, Wanger Production; John Joseph, Universal; Jock Lawrence, Goldwyn; Cliff Lewis, Paramount; Billy Leyser, Fine Arts; Perry Lieber, RKO; Murphy McHenry, Edward Small Productions; William Pierce, Monogram; Tom Petty, M. P. P. D. A.; Lou Smith, Columbia; Howard Strickling, M-G-M; Frank Seltzer, Hal Roach Studios; Robert Taplinger, Warners; Al Vaughan, Principal.

Bell, publicity director Loew's Washington Theatres, and Brien, manager of Warner's Prince Theatre, Ambridge, Pa., were voted their honors at the judging for the 1939 Awards in New York on Feb. 30.

BERTHA SNYDER succeeds KATHLENE GANNON as secretary to D. C. KENNEDY, manager of the M-G-M exchange in Des Moines. MISS GANNON resigned.

•

NORMAN ELSON, general sales manager of Film Alliance of the U. S., and MRS. ELSON are the parents of a boy born at the Huntington Long Island Hospital.

•

J. S. HARRINGTON, manager of Monogram's film and accessory department, confers with F. E. JUDD today at the company's branch in Des Moines.

•

A. H. BLANK, head of Tri-States Theatres, Des Moines, and MRS. BLANK have returned after a month's vacation in Florida.

•

EDWARD M. SAUNDERS, M-G-M Western division manager, leaves today for three weeks in Ft. Lauderdale, Fla.

•

J. ROBERT RUBIN, vice-president of M-G-M, and MRS. RUBIN are in Nassau.

•

GRADWELL L. SEARS, Warners general sales manager, is in Florida for a few days.

•

H. M. RICHEY of RKO will attend the I.T.O. of Ohio convention in Cleveland next week.

•

MORRIS SANDERS, office manager at the 20th Century-Fox exchange here, is in Miami.

•

PAUL TERRY, producer of Terrytoons, is recovering from the flu.

•

MALCOLM AMES of British Technicolor has arrived from England.

•

FRANK C. WALKER has gone to Palm Beach for two weeks.

Britain Preparing Report on Industry

London, Feb. 22.—The British Government early in March will publish a white paper exhaustively analyzing conditions in the film industry, and detailing plans for new legislation affecting the industry.

'Pinocchio' Grosses Fight Weather Odds

Second week of "Pinocchio" at the Center ended with a gross of just under $40,000, after adverse weather conditions which affected at least three days of the week's business.

After-effects of last week's blizzard were felt on Thursday, the first day of the second week, but with capacity business over the weekend, the house seemed in a fair way to overcome this, only to be hit by an all-day rain on Monday and adverse weather conditions throughout most of Tuesday.

The house was at capacity again throughout Washington's Birthday holiday yesterday and with any sort of weather "break" over the weekend should stand a good chance of bettering in its third week the first week's gross of $45,000.

"I Take This Woman," with stage show, at the Music Hall grossed an estimated $62,000. "Abe Lincoln in Illinois" opened there yesterday. At the Strand, "The Story of Dr. Ehrlich's Magic Bullet" opens today with Tommy Tucker and his band heading the stage show.

Hearing on Goldwyn Korda Plea Tuesday

Samuel Goldwyn's application for leave to examine Alexander Korda before trial of the Goldwyn action in U. S. District court here to be released from his United Artists contract has been postponed to next Tuesday. The motion originally was scheduled for argument today.

Schwartz & Frohlich, Korda's counsel, will oppose the motion. Korda will not be prevented from leaving for the Coast while the motion is pending.

Einfeld Going West; Plans Chicago Stop

S. Charles Einfeld, Warners advertising and publicity director, leaves for the Coast today after more than a month in New York.

En route he will stop over in Chicago to confer with Balaban & Katz executives on the local campaign of "The Story of Dr. Ehrlich's Magic Bullet."

Hal B. Wallis, executive producer for Warners, and Einfeld yesterday attended the Albany opening of the Ehrlich film at the Strand Theatre.

MacIntyre on New Tour

Herb MacIntyre, head of the Ned Depinet RKO sales drive, leaves today on his second tour of this country and Canada. He will be accompanied by Harry Michalson, short subject sales manager. They will be gone about five weeks.

Newsreel Parade

There are no outstanding events in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 48—Britain guards Hong Kong. Sweden's air force in formation flights. Annual cleaning of Florida marineland. Lew Lehr. Cavalry maneuvers in Virginia. Vyvyan Donner models leave for Florida. Golden Glove bouts in New York. Skating exhibition. Boat race.

NEWS OF THE DAY, No. 246—British troops in Hong Kong. Clean aquarium in Florida. Swedish air force training. Fashions. Hobby horse fad in Chicago. Golden Glove finals. Outboard motor boat race on Coast.

PARAMOUNT NEWS, No. 51—Speed boat race off Seattle. Australian envoy arrives on Coast. Test new water wings. American ambulances in French army. Adolph Zukor received by Chilean President in Valparaiso. New aircraft carrier in trial run. Marriage boom in Chicago. Golden Glove bouts in New York. Ice revue in Chicago.

RKO PATHE NEWS, No. 63—Elections in Louisiana. Air cadets in Australia. Dutch ice breaker off Holland coast. Setter wins dog show. Australian ambassador in California. Golden Gloves.

UNIVERSAL NEWSREEL, No. 63—New airplane carrier tested. Britain's King and Queen review troops. Lebrun inspects French naval base. British lumberjacks aid troops. Florida aquarium gets Spring cleaning. Easter hat fashions. Culinary exhibition in Chicago. Hobby horse race in Chicago. Mobile restaurant in New York. Ice revue in Chicago. Golden Glove bouts at Madison Square Garden.

Quigley in Film Talk At Loyola University

LOS ANGELES, Feb. 22.—Before a convocation of 600 members of the faculty and student body of Loyola University at Los Angeles yesterday, Martin Quigley discussed current trends and influences in motion pictures.

George Sussman Feted

George Sussman of the 20th Century-Fox print department was given a luncheon at the Park Central Hotel Wednesday on his transfer to Buffalo as booker. He is succeeded at the home office by Irving Mills. Sussman is a brother of William Sussman, 20th Century-Fox Eastern division manager.

Syracuse Allied Meets

SYRACUSE, Feb. 22.—Syracuse regional unit of Allied Theatre Owners of New York will meet here tomorrow.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Watch Broadway Today for

ANOTHER "ZOLA"!

"Advance talk is that it's a walloping hit. New Yorchids to Eddie Robinson's excellent acting!" WALTER WINCHELL

"A carillon of praise to Warner Bros!" JIMMIE FIDLER

"Edward G. Robinson's is a truly great performance!" says **PAUL MUNI**

"A performance to make audiences stand up and cheer!" says **BETTE DAVIS**

"Robinson hits the bull's-eye for an Academy Award!" says **ED SULLIVAN**

"Greatest performance Edw. G. Robinson has ever given!" says **SIDNEY SKOLSKY**

"It's even greater than 'The Story of Louis Pasteur'!" says **LOUELLA PARSONS**

"Robinson is terrific! As important a performance as I ever have seen!" says **JOHN GARFIELD**

"Everyone who admires superb acting should see 'The Story of Dr. Ehrlich's Magic Bullet'!" says **MERLE OBERON**

EDWARD G.

ROBINSON

in

"THE STORY OF DR. EHRLICH'S MAGIC BULLET"

with

Ruth GORDON • Otto KRUGER • Donald CRISP

Directed by WILLIAM DIETERLE

[illegible]

SHOWMEN! FOR YOUR ADVANCE CAMPAIGN! These raves belong in your ads and lobby, just the way they're doing it at the N.Y. Strand

WARNERS

Made "ZOLA"

WARNERS

Made its Successor!

MARK OF SHOWMANSHIP

Chicago Oriental Booking Plan Off

By WILLIAM F. CROUCH

CHICAGO, Feb. 22.—Plans for following "Gone With the Wind" into the Oriental Theatre with such bookings as "Grapes of Wrath" and "Pinocchio," have fallen through, it was indicated with the announcement that "Grapes of Wrath" opens at the Chicago March 1, while "Pinocchio" opens at the Palace, March 21.

Aaron Jones, of the Jones, Linick & Schaeffer circuit, made an effort to get these two pictures for the Oriental to follow the "Wind" engagement. It was planned to show these films on a roadshow basis similar to the present policy, provided they could be obtained.

John Balaban, after six weeks of special treatments at the Mayo Clinic, in Rochester, Minn., is back at his desk at the Balaban & Katz offices.

James A. Coston, Warner Theatres zone manager, has left for California for a month's vacation. Coston will spend considerable time in Hollywood and Palm Springs.

Latest outlying theatres to start a battle for business with triple features are Frank Ford's Stadium in Evanston and the nearby Wilmette, in Wilmette, operated by Sam Myers.

William Kaal, veteran film salesman with Warners, has resigned.

Doubt Any Chance For Reviving Code

The chances of renewing negotiations on the proposed trade practice code or arbitration of industry disputes are nil, according to members of the distributors' former code committee.

Although Col. H. A. Cole, president of Allied States, recently said that his organization would formally request the distributors to revive the move for arbitration, no such request has been received.

The request was expressed in a resolution adopted at the national Allied board meeting in Washington in January, but the distributors have received no communication from Allied.

Discrimination Bill Is Filed in Albany

ALBANY, Feb. 22.—Senator Charles D. Perry introduced a bill yesterday amending the penal law on the protection of civil and public rights. It provides that as a condition of a license to operate places of public amusement, the licensee shall make available to all persons full and equal accommodations and privileges.

This anti-discrimination bill makes licenses subject to suspension or revocation for violation.

8 Exhibitors Sued

CLEVELAND, Feb. 22.—Eight present and former members of the Cleveland Motion Picture Exhibitors Association are named in a Common Pleas court suit filed by the association to collect nearly $7,000 in back dues and assessments. The houses named are the Astor, Grand, Haltnorth, Waldorf, Heights, Cedar, Abby and Marvel.

Tabloid Plays Revived But Film Houses Doubt Vogue

(*Continued from page* 1)

included in the cast. This is particularly true of the morning and afternoon shows. In addition to talent costs, which usually include pit orchestras, the tabloid version, author's royalties, traveling expenses for road companies and extra stage hands. To offset these costs, boxoffice prices cannot be increased, it was said.

In addition, Broadway managers feel that no large number of customers would be drawn by such presentations here due to the fact that the interested clientele, for the most part, will have seen the original Broadway stage show and will not be interested in seeing it again in tabloid form.

They relate that this was their experience when the tabloid plays were tried six or seven years ago. Out of a dozen or more which were tried, "Band Wagon" at the Broadway Paramount, and "Desert Song" at the Roxy were reported as the only ones which brought any noticeable increase in trade.

Actors Equity does not require performers to be members of the union as Equity does not classify such shows as legitimate stage performances but the American Guild of Variety Artists, which is now in an organizational drive in presentation houses, would probably insist that they be members of A.G.V.A.

Tabloid Musicals Profitable in Chicago

CHICAGO, Feb. 22.—B. & K. experimented with tabloid versions of "hit" musical comedies about seven years ago and found them to be profitable. They were abandoned because the supply of suitable shows was insufficient to support them regularly.

Circuit executives say they would still be interested in tabloid versions of musicals, running 50 minutes or an hour, if they were available with "name" casts. They are not interested, they say, in tabloid dramas or plays, unless something of a fast-moving, comedy nature, such as "Three Men on a Horse," could be obtained with some regularity.

Neely Bill Scored By L.A. Chamber

LOS ANGELES, Feb. 22.—Describing the Neely bill as "censorship at its worst," directors of the Los Angeles Chamber of Commerce have gone unanimously on record as opposing it, it was announced today.

Sol Lesser is the only film industry representative on the board.

Following a report of a special committee, none of whom is connected with the industry, the Chamber's board ordered its representative in Washington to "do all in its power to defeat the Neely bill."

Frank P. Doherty, chairman of the special committee, after describing the synopsis clause, said:

"This is censorship at its worst. . . . The motion picture industry is a special type of business. No producer can tell in advance whether or not a picture in production is going to be a financial success or failure. . . .

"If production is to be limited to pictures which must be certain in advance of being successful, then we will either have fewer pictures made or producers will be so restricted in production as to ultimately destroy the movie business in this country. . . .

"Likewise, production will result in excessive costs and ultimately in reduced employment.

"When you attempt to regulate matters by law in the field of censorship, you enter a field where legislation has no business.

"The proposed Neely act is an attempt to put the Government into business where it cannot do constructive work, but on the contrary will place such restrictions upon industry as to handicap it in the field of entertainment, news and education.

"We have plenty of laws now to take care of unscrupulous persons who attempt to make and distribute a picture offensive to good taste and good morals. Our sense of public decency is our best protection.

"If block booking or blind selling results in monopoly, we have ample laws to prevent such monopoly."

Unions to Arbitrate, Say Their Leaders

(*Continued from page* 1)

slashed high salaries of stars, writers, directors and company executives.

Unions are waiting until the producers set a date for resumption of parleys on the question of the wage increase. Producers today refrained from commenting on the subject. They are compiling more detailed data to fortify their arguments.

The unions' negotiating committee tomorrow will ask the producers to set an early date for the continuation of discussions in order that the controversy may be settled without delay as the craftsmen are anxious to make early overtures for improvement of general working conditions.

Wage Issue to Arbiters, Says Casey in New York

The Producers' Association negotiating committee expects the question of a rescinding of the 10 per cent wage increase to Hollywood studio unions to go to arbitration if the current negotiations end in a stalemate, Pat Casey, producers' labor representative, said Wednesday on his arrival in New York from the Coast.

Casey's statement was made in commenting on William Bioff's declaration in Chicago that the studio unions "have no intention of surrendering the wage increase," as reported in MOTION PICTURE DAILY on Wednesday.

Casey said the producers are now engaged in gathering additional financial data to present to the union representatives and that the negotiations probably would be resumed on his return to the Coast about March 4. He said that if no agreement results thereafter, the producers expect the unions to abide by their agreement to submit the rescinding of the wage increase to arbitration, and that the arbitrators' decision will be final.

Casey came east on personal business and has no union conferences scheduled during his visit here, he said.

Tax Collections Drop in January

WASHINGTON, Feb. 22.—Admission tax collections in January touched the lowest point for any month since last April, dropping almost $500,000 from the December total of $1,974,534 to $1,486,534, it was reported by the Internal Revenue Bureau.

Receipts for the month were $77,600 under the $1,564,134 reported for January, 1939.

Despite the drop in January, the bureau reported, admission tax collections for the first seven months of the current fiscal year were nearly $328,000 above those for the corresponding period a year ago. From July 1, 1939, to Jan. 31, 1940, it was stated, revenues were $12,206,619, compared with $11,878,708 from July, 1938, to January, 1939.

The greater part of the loss in revenue in January was in the Third New York (Broadway) District, where collections reached the abnormally low figure of $192,233, compared with $610,099 in December and $447,840 in January, 1939, the bureau disclosed.

The drop in box-office collections from December was particularly heavy, from $506,793 to $154,644, but admissions to roof gardens and cabarets were down nearly 75 per cent, from $85,681 to $22,356.

Other collections in the district were $2,256 from free or reduced rate admissions, against $5,414 in December; $12,660 on tickets sold by brokers against $11,172; $307 on tickets sold by proprietors in excess of established prices, against nothing; and $9.20 from permanent use or lease of boxes and seats against $1,039.

Associates to Ask Aid of Relief Fund

Motion Picture Associates will make formal request for a contribution from the Motion Picture Relief Fund to augment its limited resources for welfare work. This was decided Wednesday at a meeting of the board of directors.

The Associates will also ask the major film companies to assist in its charity work. The move for an unemployment relief fund is being held in abeyance.

Attending the meeting were Moe Streimer, chairman of the board; William Stein, Leo Brecher, Dave Levy and Jerome Wilson.

S. O. S. Takes Over Superior Projector

All interests in the Superior Projector, product of Coxsackie Manufacturing Corp., have been acquired by the S. O. S. Cinema Supply Corp. Manufacture of the projector will be continued in New York following removal of all equipment from its plant in Coxsackie, N. Y.

S. O. S. recently absorbed the Consolidated Theatre Supply Corp. and International Theatre Supply Accessories Corp. in similar deals.

Lawrence Holthaus Dies

CINCINNATI, Feb. 22.—Lawrence Holthaus, 36, manager of the Hiland in nearby Ft. Thomas, Ky., unit of Associated Theatres, was found dead in his garage Wednesday. Working on his car, he was apparently a victim of carbon monoxide poisoning.

Northwest Passage World Premiere Sensational in Boise, Idaho!

FLASHED TO THE NATION!

Postal Telegraph Special Preview Service sent the rave comments below to leading publications.

THE GOVERNOR OF IDAHO said:
"The finest I have ever seen. Outstanding picture of the age!"
—*Gov. C. A. Bottolfsen*

THE POSTMASTER said:
"Perfect portrayal of Rogers' Rangers. Marvelous."
—*Harry L. Yost*

THE EDITOR said:
"One of the grandest shows I ever saw."
—*Irving Hart, Daily Statesman*

ANOTHER EDITOR said:
"Spencer Tracy's strongest role. Most beautiful Technicolor job ever."
—*Max G. Funke, Capital News*

THE MAYOR said:
"Wonderful. Real treat for all."
—*Mayor James Straight*

SENATOR CARL BROWN said:
"Inspiring. Wonderful."

THE PUBLIC said:
"We'll tell the nation—it's a sensation!"

It was noisy in Boise—stars, celebrities, parades.

Thousands came from far-distant towns—

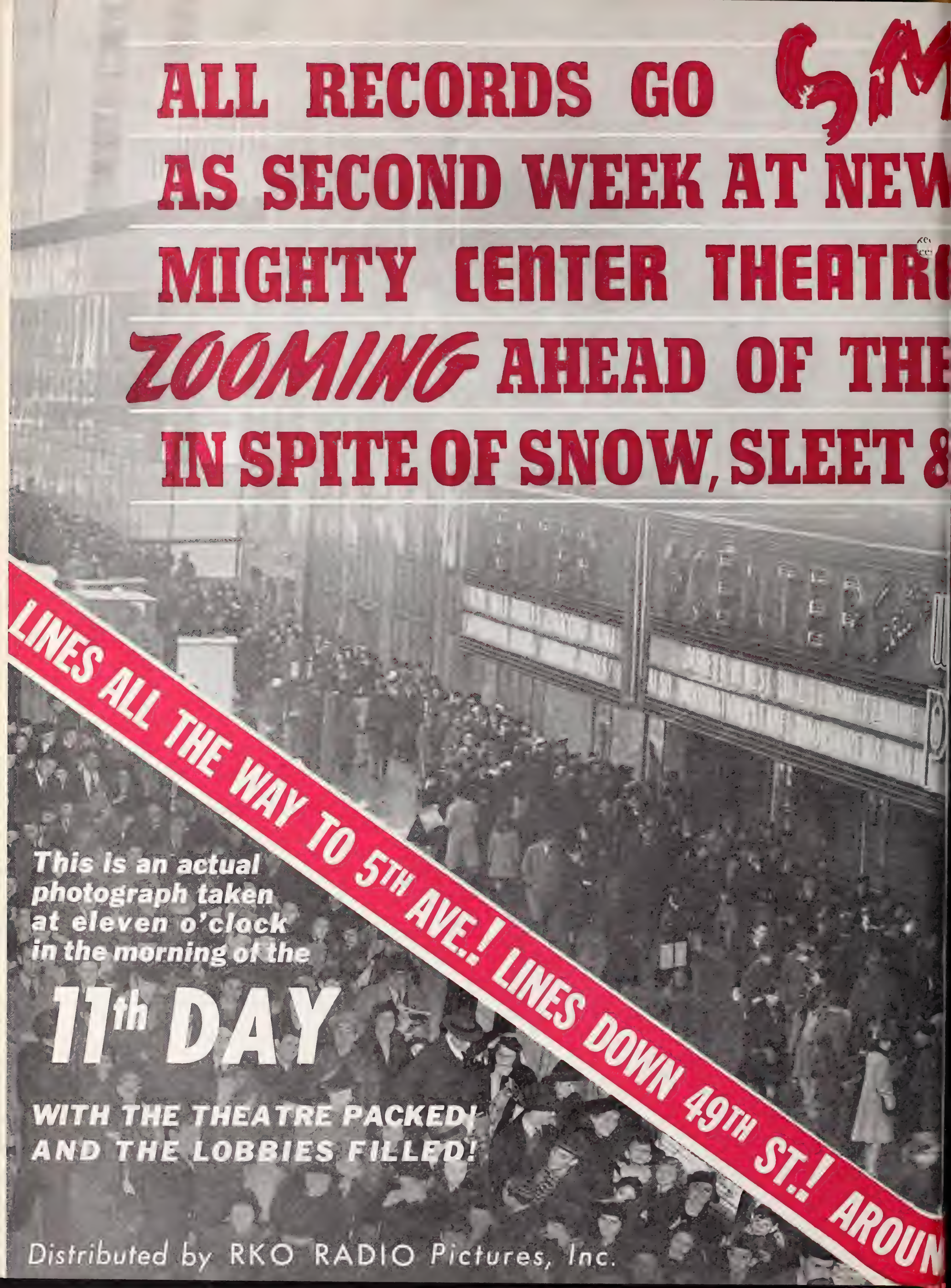
Another big M-G-M Showmanship Premiere—

To launch another socko box-office attraction!

The National Ad Campaign is starting. Get ready!

"NORTHWEST PASSAGE" (Book I—Rogers' Rangers) in Technicolor · Starring SPENCER TRACY with Robert Young, Walter Brennan, Ruth Hussey, Nat Pendleton · Screen Play by Laurence Stallings and Talbot Jennings · Based on the Novel by Kenneth Roberts · Directed by King Vidor · Produced by Hunt Stromberg · An M-G-M Picture

ALL RECORDS GO SM
AS SECOND WEEK AT NEW
MIGHTY CENTER THEATR
ZOOMING AHEAD OF THE
IN SPITE OF SNOW, SLEET &



LINES ALL THE WAY TO 5TH AVE.! LINES DOWN 49TH ST.! AROUN

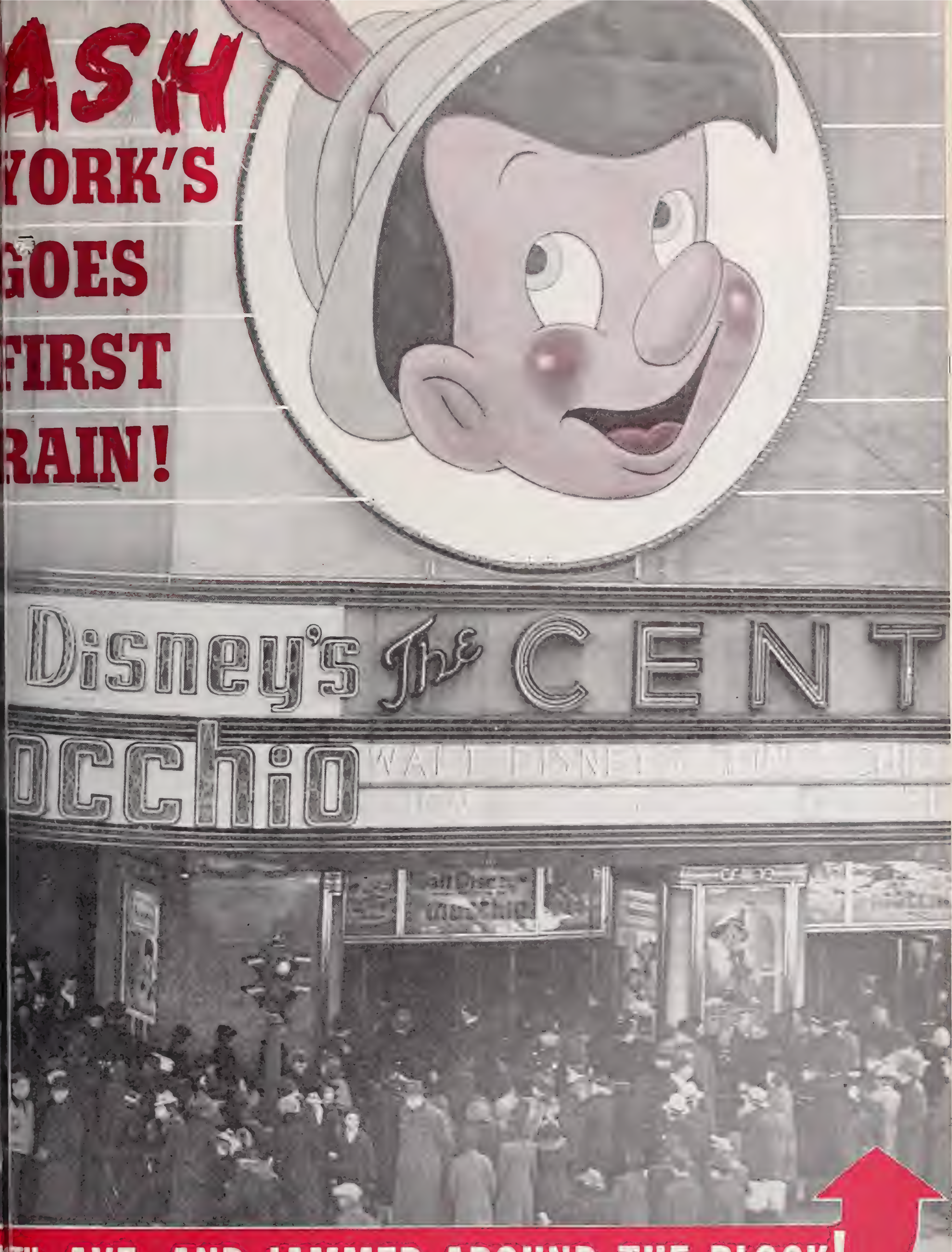
This is an actual photograph taken at eleven o'clock in the morning of the

11th DAY

WITH THE THEATRE PACKED! AND THE LOBBIES FILLED!

Distributed by RKO RADIO Pictures, Inc.

ASH
YORK'S
GOES
FIRST
RAIN!



TH AVE. AND JAMMED AROUND THE BLOCK!

Los Angeles Gives $25,100 To 'Pinocchio'

Los Angeles, Feb. 22.—"Pinocchio," at the Hillstreet and Pantages, grossed $25,100. In the eighth week, "Gone With the Wind" drew $19,000 at the Carthay Circle and $19,500 at the United Artists.

Estimated takings for the week ending Feb. 21:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 8th week. Gross: $19,000. (Average, $17,000)

"Broadway Melody of 1940" (M-G-M)
"The Man Who Wouldn't Talk" (20th-Fox)
CHINESE — (2,500) (30c-75c) 7 days. Gross: $11,500. (Average, $12,500)

"Abe Lincoln in Illinois" (RKO)
4 STAR—(900) (75c-$1.50) 7 days, 3rd week. Gross: $4,100. (Average, $3,250)

"Pinocchio" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $11,400. (Average, $6,500)

"Broadway Melody of 1940" (M-G-M)
"The Man Who Wouldn't Talk" (20th-Fox)
LOEW'S STATE — (2,500) (30c-75c) 7 days. Gross: $13,800. (Average, $14,000)

"Pinocchio" (RKO)
PANTAGES—(2,000) (30c-65c) 7 days, 2nd week. Gross: $13,700. (Average, $7,000)

"Green Hell" (Univ.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. Revue, Horace Heidt and orchestra. Gross: $19,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 8th week. Gross: $19,500

"The Invisible Man Returns" (Univ.)
"Granny Get Your Gun" (W. B.)
WARNER BROS. (Hollywood) — (3,000) (30c-65c) 7 days. Gross: $9,400. (Average, $14,000)

"The Invisible Man Returns" (Univ.)
"Granny Get Your Gun" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $10,800. (Average $12,000)

Biggest Production Year for Republic

(Continued from page 1)

ture finished is "Forgotten Girls" with Donald Woods and Louise Platt.

Titles of other features set by Yates are Higgins Family in "Grandpa Goes to Town," Weaver Brothers and Elviry in "In Old Missouri," "Doctors Don't Tell," "Crooked Road," "Gangs of Chicago," "Grand Ole Op'ry," "Lady From New Orleans," "Scatterbrain," "Girl from God's Country," "Should Wives Work," "Oomph Girl and the Cowboy" and "Sing, Dance, Plenty Hot."

Three of the Westerns—"Pioneers of the West" with the Three Mesquiteers; "Rancho Grande," Gene Autry vehicle, and "Ghost Valley Raiders," first of new Western series with Donald Barry—are finished or nearing completion. Others are "Young Buffalo Bill," "Carson City Kid" and "Days of '49," all with Roy Rogers; "The Old Mill Stream" and "Carolina Moon" with Gene Autry; "Covered Wagon Days" and "Rocky Mountain Rangers" with the Three Mesquiteers and "Go Get 'Em Cowboy" with Donald Barry.

Pictures in Ireland Off Sharply in 1939

London, Feb. 1 (*By Mail*).—Irish audiences are seeing fewer films than in the past. The Irish censor reviewed 1,915 films last year, as compared to 2,214 in 1938. Of the 1939 total, 1,106 were American pictures. England supplied only 209.

Feature Reviews

"Knights of the Range"

(Paramount-Sherman)

Hollywood, Feb. 22.—Done in the best Harry Sherman production style, "Knights of the Range," from the Zane Grey story, is one of the western "specials" the veteran producer delivered to Paramount this season. Russell Hayden, the "Lucky" of the "Hopalong Cassidy" series, is supported by Victor Jory, Jean Parker, Morris Ankrum, Britt Wood, J. Farrell MacDonald, Ethel Wales, Rad Robinson, Raphael Bennett and The King's Men.

Dealing with rustlers and other outlaws as well as a feud between a rustler chief and a rancher who carried on their Civil War animosity, the story, with screenplay by Norman Houston, is one of the better outdoor action dramas. Five songs, all of the range variety, are interspersed without slowing down the movement.

Lesley Selander, who directed the film, did a masterful job in production values.

Running time, 68 minutes. "G."* VANCE KING

"G" denotes general classification.

"The Human Beast"

(Juno Films)

This Emile Zola novel, the pathological study of a disordered mind, has been made into a French film which is adult screen fare with appeal for those who lean toward such brutal psychological material.

Produced by Hakim Productions in Paris, the film stars two fine performers, Jean Gabin and Simone Simon. Jean Renoir, who directed, has built his production with the utmost concentration and a complete lack of waste motion.

It is a fine example of the use of the screen technique in the portrayal of intense emotional stress and its use of the photographic facility is of the best. However, it is unrelieved tragedy.

Miss Simon's jealous husband murders her godfather when he discovers she has been in love with him. Gabin, engineer on a train, is aboard as a passenger when the crime is committed. Miss Simon goes to him, the two fall in love, and once again succumbing to an inherited mental disorder, Gabin murders her, then leaps from his train to death.

Running time, 80 minutes. "A."* CHARLES S. AARONSON

"A" denotes adult classification.

'Wind' at $27,000 Indianapolis Lead

Indianapolis, Feb. 22.—"Gone With the Wind" took $27,000 in its third week at Loew's. Dick Powell in person heading a stage show and "The Return of Dr. X" made $12,000 at the Lyric.

Estimated takings for the week ending Feb. 16:

"Fighting 69th" (W. B.)
"Man Who Wouldn't Talk" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 3rd week. Gross: $1,800. (Average, $2,500)

"Vigil in the Night" (RKO)
"Married and in Love" (RKO)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $5,200. (Average, $6,000)

"Little Old New York" (20th-Fox)
"Young as You Feel" (20th-Fox)
INDIANA — (3,200) (25c-40c) 7 days. Gross: $5,800. (Average, $5,000)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.10) 7 days, 3rd week. Gross: $27,000. (Average, $7,000)

"The Return of Dr. X" (W. B.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Dick Powell and vaudeville. Gross: $12,000. (Average, $8,000)

'Girl Friday' Leads In Montreal Slump

Montreal, Feb. 20.—"His Girl Friday" was top grosser with $8,400 at the Palace, while "The Light That Failed" took $7,000 at Loew's.

Estimated takings for the week ending Feb. 16:

"Destry Rides Again" (Univ.)
"Oh, Johnny, How You Can Love" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,900. (Average, $8,000)

"France Is Ready" (G. N.)
HIS MAJESTY'S—(1,700) (25c-35c-50c) 7 days. Gross: $2,700. (Average, $2,700)

"The Light That Failed" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $7,000. (Average, $8,000)

"Slightly Honorable" (U. A.)
"Tropic Fury" (Univ.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)

"His Girl Friday" (Col.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,400. (Average, $10,000)

"British Intelligence" (W. B.)
"Granny, Get Your Gun" (W. B.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $5,000. (Average, $5,500)

'Wind' Grosses Big $27,000, Cleveland

Cleveland, Feb. 22.—"Gone With the Wind," drawing another good $27,000 in its third week at the Stillman, led in an otherwise dull week here. The weather was icy and driving treacherous most of the week.

Estimated takings for the week ending Feb. 15:

"Charlie McCarthy, Detective" (Univ.)
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)

"The Fighting 69th" (W. B.)
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $8,500. (Average, $11,000)

"The Invisible Man Returns" (Univ.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Peters Sisters and show on stage. Gross: $9,500. (Average, $14,000)

"Remember the Night" (Para.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $11,000. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (75c-$1.13) 7 days, 3rd week. Gross: $27,000.

'Wind' Leads With $60,000 In Twin Cities

Minneapolis, Feb. 22. — "Gone With the Wind" led the twin cities, taking $36,000 at the Minneapolis Orpheum and $24,000 at the Orpheum in St. Paul, in the second week both spots.

Estimated grosses for the week ending Feb. 17:

Minneapolis:

"Emergency Squad" (Para.)
"Mexican Spitfire" (RKO)
ASTER — (900) (15c-25c) 5 days. Gross: $1,700. (Average, $1,500)

"The Fighting 69th" (W.B.)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,600. (Average, $4,000)

"Torpedoed" (Film Alliance)
ESQUIRE—(290) (25c-40c) 7 days. Gross: $1,500. (Average, $700)

"Charlie McCarthy, Detective" (Univ.)
GOPHER — (990) (25c) 6 days. Gross: $3,100. (Average, $2,500)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,900) (75c-$1.10) 7 days, 2nd week. Gross: $36,000. (Average, $4,400)

"Swanee River" (20th-Fox)
STATE—(2,300) (25c-40c) 7 days. Gross: $8,000. (Average, $4 000)

"Destry Rides Again" (Col.)
WORLD — (400) (25c-40c) 7 days, 2nd week. Gross: $1,500. (Average, $1,600)

St. Paul:

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,000) (75c-$1.10) 7 days, 2nd week. Gross: $24,000. (Average, $3,200)

"Swanee River" (20th-Fox)
PARAMOUNT—(2,500) (25c-50c) 7 days. Gross: $4,500. (Average, $4,400)

"Charlie McCarthy, Detective" (Univ.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,300. (Average, $1,800)

"Nick Carter, Master Detective" (M-G-M)
"Llano Kid" (Para.)
TOWER — (1,000) (25c) 7 days. Gross: $2,200. (Average, $1,800)

"Destry Rides Again" (Col.)
WORLD—(400) (25c-40c) 7 days, 3rd week. Gross: $800. (Average, $700)

'Wind' Hits $8,600 In Oklahoma City

Oklahoma City, Feb. 22.—"Gone With the Wind" drew $8,600 in its third week at the Tower. With rain and warm weather other grosses were generally off.

Estimated takings for the week ending Feb. 15:

"The Hunchback of Notre Dame" (RKO)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,300. (Average, $4,500)

"Henry Goes Arizona" (M-G-M)
"Big Guy" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,200. (Average, $2,400)

"The Great Victor Herbert" (Para.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,600. (Average, $4,000)

"Swanee River" (20th-Fox)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,400. (Average, $1,100)

"Blondie Brings Up Baby" (Col.)
STATE—(1,100) (20c-25c-40c) 7 days. Gross: $1,900. (Average, $3,000)

"Gone With the Wind" (M-G-M)
TOWER—(1,000) (75c-$1.12) 7 days, 3rd week. Gross: $8,600. (Average, $1,750)

Building Is Limited In San Francisco

San Francisco, Feb. 22.—Legislation virtually limiting future construction of theatres here to Class "A" buildings was adopted by the Board of Supervisors, over charges that small operators were being "legislated out of business."

The ordinance was supported by large downtown theatres and neighborhood circuits, who emphasized that one bad theatre fire would hurt the entire industry. Representatives of small theatres appeared en masse at the meeting to oppose the vote, which carried 10 to 1.

THE GRAPES OF WRATH

— first opening outside N.Y.—biggest in history of Lincoln Theatre, Miami, with simultaneous opening at Surf Theatre to handle overflow. First 2 days (Tues., Wed.) equal full week for "Rains Came", "Suez", "Drums Along the Mohawk", "Stanley and Livingstone."

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Short Subject Reviews

"Flash Gordon Conquers the Universe"

(*Universal*)

The extremely popular cartoon strip of the same title here emerges as an action serial. The strip unquestionably has a large following among youngsters, which makes this serial ripe for exploitation. Larry (Buster) Crabbe has the title role. A fantastic situation, in which Flash and the genius, Dr. Zarkov, go by rocket ship with Dale to find the source of the mysterious dust which is causing the purple death plague, it is good kid material. If these first three chapters are a criterion, the serial promises to bring the youngsters back to the theatre each week. Centering about Flash's fight with Ming, dictator of another planet, who seeks to rule the Universe, there is action aplenty. The first three episodes each run 21 minutes.

"Kitten's Mittens"

(*Universal*)

This Walter Lantz cartoon in color is enjoyable material of its kind, which should be pleasing to both adults and children. The three kittens lose their mittens, tell their mother they were stolen, and finally admit the truth after the orphan kitten, accused, is given the third degree in a clever scene. Running time, 9 mins.

"March of Time, No. 6"

(*RKO*)

An inspiring and stimulating reel, the current issue of "March of Time" is a reverent and interesting picturization of Vatican City. Entitled "The Vatican of Pius XII," the reel takes for its theme the peace efforts of Pope Pius XII. The present high interest in peace moves makes the reel timely as well as instructive.

Interior scenes showing the art masterpieces, ancient libraries, crypts, gardens and chapels are mingled with shots revealing every-day activities of the Vatican City population. To these are added views of the radio station, railroad, postoffice and offices of the civil government. Running time, 18 mins.

"Jimmy Dorsey and His Orchestra"

(*Paramount*)

Jimmy Dorsey, one of the leading exponents of modern swing music, here performs on his saxophone and with his band, aided by Helen O'Connell and Bob Eberly, the band's vocalists. Followers of modern music should enjoy the subject. Running time, 10 mins.

"Popular Science, No. J9-4"

(*Paramount*)

There is wide general appeal in this number of an excellent series in color. Pictured are scientific poultry raising in midtown Chicago, the accidental discovery of aniline dyes, scientific aids in the kitchen, and the manner in which salmon are aided over Grand Coulee dam in their annual travel to spawning grounds. Running time, 10 mins.

"Way Back When a Triangle Had Its Points"

(*Fleischer-Paramount*)

The title of this cartoon is nearly as long as the subject. With a few clever touches, it recounts the story of the stone age business man who dines with the stenographer, until his wife hears about it. Running time, 7 mins.

"Human Fish"

(*Paramount*)

One of the Grantland Rice Sportlight subjects, this features the almost incredible underwater feats of Newton Perry, 200-pound Florida lad. Perry propels himself in any direction under water with the grace and ease of a fish. With the expert Ross Allen, he goes swimming with several seals, and his skill is more clearly demonstrated. Running time, 10 mins.

"Paramount Pictorial"

(*Paramount*)

The rudiments of plane operation are shown here, as a novice flyer undertakes his first solo flight, banks his plane, dives, and makes a perfect landing. The subject also treats, in interesting fashion, of the manufacture of men's felt hats, following the material from the raw fur stage to the finished product. Running time, 10 mins.

Critics' Quotes . . .

"DR. EHRLICH'S MAGIC BULLET" (Warners)

Warners again display courage, teamed with finesse and good taste, in daring to photograph the life story of Dr. Paul Ehrlich, who discovered a cure for social diseases. . . . They can win an Academy Award with Edward G. Robinson as Dr. Ehrlich.—**Jimmy Starr, Los Angeles Herald and Express.**

The most thoroughly adult motion picture to come out of Hollywood. . . . Engrossing all the way, and expertly played. . . . Dr. Ehrlich, played with quiet distinction by Edward G. Robinson.—**Virginia Wright, L. A. Daily News.**

Both Ehrlich and the production are successes. . . . A dignified, impressive and a powerfully absorbing sound film. . . . It is the restrained tone of this work which stands out above all other considerations. . . . Robinson was never better.—**Philip K: Scheuer, L. A. Daily Times.**

A worthy successor to "Louis Pasteur." . . . In many ways it is infinitely better, and is, when all has been said and done, one of the best pictures this reviewer has seen many a long day.—**L. A. Examiner.**

"NORTHWEST PASSAGE" (M-G-M)

"Northwest Passage" can be applauded as a picture which stands practically alone in film history as heroic in theme and accomplishment. It is one of the most magnificent productions with outdoor backgrounds ever to be photographed.—**Edwin Schallert, L. A. Times.**

A red-blooded, he-man adventure story, a picture without compromise and with a genuine feeling that is impressive. . . . No parlor story with a romantic love interest. It is a somber, realistic, almost grim document.—**L. A. Examiner.**

A magnificent adventure saga. . . . The realism is shocking, spine-chilling. . . . Spencer Tracy (as Major Rogers) has just won himself another Academy Award, as far as I am concerned.—**Jimmy Starr, L. A. Herald and Express.**

"LITTLE OLD NEW YORK" (20th-Fox)

We could hardly ask for more action, yet the rather slow pace gives somewhat the impression of a lack of action.—**Dorothy Guinan, Philadelphia Daily News.**

History coated with comedy capers. . . . Good natured but inconsequential.—**Mildred Martin, Philadelphia Inquirer.**

Only a mean, cantankerous soul would refuse to admit the entertainment in "Little Old New York." . . . Is attended by much comedy. . . . It adds up to a good show.—**Henry T. Murdock, Philadelphia Ledger.**

Ontario's Revenue For Year $201,000

TORONTO, Feb. 22.—During the current fiscal year ending March 31 next the revenue of the Ontario Government from film censorship and theatre licenses will amount to $201,000, according to preliminary figures presented by Premier M. F. Hepburn in the Provincial legislature in connection with the 1940-'41 budget. The revenue from this branch of the Government service for the last fiscal year totaled $206,088 and the decline is apparently due to the reduction in pictures examined by the Ontario censors because of the war situation, a ban having been placed on all features from Continental Europe with the exception of France.

Estimated expenditures for the current fiscal year were placed at $34,331, against $33,267 for the year ending March 31, 1939. The budget for 1940-'41 provides for expenditures for censorship and theatre inspection at $45,525 of which salaries are the principal item at $35,950 with travelling expenses at $6,000.

Seek Sunday Film Vote

ADA, Okla., Feb. 22.—A petition has been filed with the Ada city commissioners asking that a special election be held here March 19 to repeal statutes prohibiting operation of motion picture shows in Ada on Sunday. The question has been defeated at the polls three times previously.

Tips on Exploitation

'Wrath' Campaign To Use 6,000 Sheets

Billboard campaign on "The Grapes of Wrath," 20th Century-Fox film, will include 6,000 24-sheets posted in advance of pre-release engagements throughout the country. This [illegible] supplement more than 500,000 lines [illegible] cooperative newspaper advertising already set for over 300 engagements. This is in addition to the increased space which theatres have agreed to take for the pre-release runs.

Box-Office on Wheels Sells 'Wind' Tickets

The Walter Reade circuit used a box-office on wheels to sell reserved-seat tickets for the engagement of "Gone With the Wind" at the Mayfair, Asbury Park, N. J. Accompanied by a cashier, a box-office mounted on a truck traveled to 42 surrounding towns. Newspaper ads announced where it would stop in each town. Tickets were delivered to customers on the spot.

Cartoonist Out Front Aids Spokane Bill

SPOKANE, Wash., Feb. 22.—Howard D. McBride, who operates the Granada, had Walley Overman, clown cartoonist, park in front of the house and draw cartoons of the star players in "Rio" and "Little Accident," playing within. Advertising also said the cartoonist would draw any Spokane person's picture free. All cartoons were given away, including 500 Overman made especially for children.

8th Street Playhouse Plans Art Gallery

A miniature art gallery where artists may display their work, will be built on the mezzanine of the Eighth St. Playhouse in Greenwich Village, which is being renovated. Irving Ludwig, manager, plans periodic exhibits by artists in the neighborhood. The Playhouse is operated by Rugoff & Becker.

Mayors Coming Here In 'Sidewalks' Stunt

Chief executives of eight of the nine American and Canadian cities named London have accepted the Paramount invitation to be guest stars in New York on a radio program tonight, in an exploitation stunt for "The Sidewalks of London." The visiting officials will be Paramount's guests over the weekend.

U. A. Wins Coated Paper Ad Contest

First prize in the annual competition of the Martin Cantine Co. for "outstanding skill" in the use of coated paper in film trade paper advertising during 1939 has been awarded to United Artists.

Use Wired Preview Service in 'Passage'

M-G-M used the Postal Telegraph Preview Service on the opening of "Northwest Passage" at the Pinney Theatre in Boise, Idaho, on Tuesday. Shortly after the show, film executives and newspaper editors throughout the country received a story on the opening and comments on the film from some of the celebrities who attended.

Fox Bares Profits; Para. Facts Secret

(*Continued from page* 1)

with 487,215 shares; William Goetz, 55,283; and Joseph M. Schenck, 26,983.

The answers disclose that Twentieth Century-Fox owns 42 per cent of National Theatres Corp. with stock holdings of 756,000 shares. The company also holds 59,889 preferred shares of Movietonews, Inc. out of a total issue of 60,000 shares.

A statement of the total gross, distribution and production gross, revenue from exhibition companies and net profits of the parent company, and gross and net profits of subsidiaries for 1935 through 1938 is also detailed in the answers.

There is no fixed indebtedness or current loans outstanding, the Twentieth Centutry-Fox answers state. Paramount lists a fixed indebtedness of $7,302,000 which it points out is a reduction from an original figure of $11,133,200.

Paramount names three companies who, as creditors, have placed directors on the Paramount board. These are stated to be Harvey D. Gibson, representing Manufacturer's Trust Co., which holds $3,000,000 of Paramount debentures; Stephen Callahan of the Allied Owners Corp. with $250,000 in debentures; and Maurice Newton of Adams Express Co. with 40,000 shares of preferred stock, $103,000 in debentures personally owned and $125,000 in debentures held as trusetee.

All major companies will file answers to interrogatories Nos. 25 through 39 tomorrow. The remainder of the Government's 59 questions must be answered by March 10.

New Air Contracts Drafted by Ascap

(*Continued from page* 1)

either approve the proposals or send them back to committee for reconsideration in the light of suggestions resulting from the conference in Phoenix.

Although Ascap officials declined to discuss the radio committee's report, it is known that the organization's official attitude is that the fees of networks should be increased appreciably under the new contracts and those of independent stations should be lowered.

This suggests a formula based on station's billings. It would not necessarily produce more revenue for Ascap but it would correct what the society now believes to be an inequitable apportionment of music fees between network and non-network stations.

Concern over the new Ascap contracts is regarded as the principal factor behind the recent organization by the networks of their new Broadcast Music, Inc., which is designed to develop a source supply of music independent of Ascap.

Open 'Bay' in Frisco

The premiere of Walter Wanger's "House Across the Bay" will be held in San Francisco Feb. 28. Co-starring George Raft and Joan Bennett, the film is a United Artists release.

U. S. Gets Fox Financial Figures

Answers filed on Wednesday by Twentieth Century-Fox Film Corp. and its subsidiaries, Movietonews, Inc., and Twentieth Century-Fox Distributing Corp. to Government interrogatories disclosed details on gross and net profits of these companies for the years 1935 through 1938. The parent company's figures were detailed as follows:

Year	*Total Gross*	*Production and Distribution Gross*	*Dividends from Exhibition Companies*	*Net Profit*
1938......	$49,590,246	$48,627,384	$962,861	$6,645,416
1937......	47,980,451	46,846,451	1,134,000	8,212,535
1936......	44,087,772	42,953,772	1,134,000	7,437,209
1935......	33,919,771	33,919,771	.....	2,921,897

Movietonews, Inc., estimated its net worth to be $2,634,687. Its figures on total gross and net losses were listed as follows:

Year	*Total Gross*	*Net Losses*
1938..............	$2,577,281	$202,057
1937..............	2,877,656	200,579
1936..............	3,193,224	275,103
1935..............	3,098,363	401,188

Twentieth Century-Fox Distributing Corp. itemized its total gross and net profits as follows:

Year	*Total Gross*	*Net Profits*
1938..............	$591,487	$4,352
1937..............	526,817	4,203
1936..............	500,132	3,776
1935..............	344,292	2,399

Fox Sets Chicago, New York Parleys

A program of 52 features, including four to be made in England, and 52 one-reel shorts will be announced to 280 delegates at the national sales convention of 20th Century-Fox in Chicago early in April. Date of the meeting has not been set.

Herman Wobber, general distribution manager, has called an annual meeting of district managers to be held March 1 and 2 at the Park Central Hotel here. Home office executives will attend.

An increase is planned for next season in the number of Terrytoon one-reel cartoons in color, 10 of which are being released this season.

Dinner Here Sunday For Jewish Hospital

A large number of film industry leaders have made reservations for the 40th anniversary celebration dinner of the National Jewish Hospital at Denver, to be held Sunday night at the Hotel Astor.

The dinner will honor Paul Felix Warburg, noted philanthropist. The hospital, which is non-sectarian, is the oldest institution in the United States for the free care of tubercular poor.

Jack Cohn, vice-president of Columbia, is chairman of the motion picture committee, and Louis Nizer, attorney, vice-chairman. Nizer will be toastmaster.

Charles Carr Quits U. S. Attorney Post

LOS ANGELES, Feb. 22.—Charles Carr, special assistant U. S. attorney general whose investigation led to the indictment of William Bioff, I.A.T.S.E. leader, on a charge of evading income tax payments, has resigned his post to enter private law practice here. This announcement was made by George Bouchard, who will be associated with Carr in his new venture.

Sign 200 Publicists To Studio Contracts

(*Continued from page* 1)

soon as it is signed by the studios but is retroactive to Oct. 9. Approximately $30,000 will be due as back wages under the retroactive provisions.

The contract provides for a Guild shop with a ratio of 90 Guild members to 10 non-members. A minimum weekly salary of $100 for seniors will affect about 70 per cent of Guild members, $50 minimums for juniors in their first year, $55 in their second, and $60 in their third. Apprentices who are only a handful, are to receive 70 to 80 cents per hour.

The present proportion of seniors to juniors must be maintained and there must be one week's pay and advance notice for each year of employment upon dismissal. In order to comply with the Federal Wages and Hours Act, the contract sets straight time pay for the first 40 hours worked each week, and time and a half for the next 14. RKO and Universal have already signed the contracts.

B. & K. Plans Test Of Single Features

(*Continued from page* 1)

a single feature policy for as long as it is maintained by B. & K.

Theatres dropping doubles are Atlantic, California, Circle, Douglas, Gold, Grand, Lindy, Marshall Square, Road, Twentieth Century, and White Palace.

Other exhibitors in the city intend to abandon double features if the experiment proves a success, a canvass indicated.

"Mr. Smith Goes to Washington" will be the first single feature, going into the Central Park, Berwyn and La Grange B. & K. houses.

Theatre at Ford Exhibit

Additional wing to the Ford Motor Co. exhibit at the World's Fair will house an air conditioned theatre with the latest acoustic and lighting developments. Admission will be free.

Warners Doubles Mexico Business

HOLLYWOOD, Feb. 22.—Warners has doubled its business in Mexico during last three years, Oscar Brooks, assistant manager at Warners' branch in Mexico City, said today on his first visit to Hollywood. Brooks is here for ten days inspecting new Warner pictures.

Not only has Warners business increased but that of other majors operating in the territory have made amazing leaps and bounds, he disclosed. The reason for this, he declared, is the stimulation of Mexican film appetites some years ago by the neophyte native industry whose product created many customers for motion pictures.

As an example, he pointed to the Mexican-made "En El Rancho Grande" which was produced for 80,000 pesos. It grossed four million pesos. However, native production has not made sufficient technical advances to continue appealing to a wide range of moviegoers there. As a result, Brooks said, American companies have prospered.

Mexico is vastly underseated, he said, and eventually a building boom will create many more outlets for U.S.-made films. Warners accounts in Mexico now total 30.

'Wind' Surpasses $9,000,000 Gross

(*Continued from page* 1)

al, the picture has thus far accounted for more than $6,300,000 for Metro, the distributor, and Selznick International, the producer.

The sales policies on "Wind," "Northwest Passage" and "Young Tom Edison," for all of which extended playing time has been or will be asked, will not give Metro or its customers any trouble, according to Rodgers.

"Due to our general set-up, most exhibitors are encouraged to give extended playing time, and only a very few people stick to the stereotyped three or four-day play date or curtail runs on pictures deserving of more time," Rodgers added.

Metro has sold more contracts to date in the current film year than during all of last year, according to the sales chief, who will go to San Francisco and Chicago before returning to New York early in March.

'Wind' Ends Atlanta Run; $250,000 for 10 Weeks

ATLANTA, Ga., Feb. 22. — "Gone With the Wind" last night ended a record 10-week run at the Grand, where it had its world premiere, grossing an estimated $250,000 for the period. It is reported that 230,000 persons saw the picture.

No plans have been announced for showing the picture at any other Atlanta theatre. "Raffles" opened at the Grand today.

Order 'Wind' Suit Data

BIRMINGHAM, Ala., Feb. 22.—Ann R. Davis has been given 10 days to file a verified bill of particulars in her suit to stop the Ritz from showing "Gone With the Wind" and asking damages for alleged copyright infringement. Federal Judge T. A. Murphree granted the defense petition.

Radio Brevities

POPULARITY of radio programs which have no visual appeal will be tested for television by NBC next week. Lowell Thomas, whose nightly news commentaries are sponsored by Sunoco, will be televised while broadcasting on Wednesdays, Thursdays and Fridays, beginning Wednesday, Feb. 28.

If the test proves successful, other popular programs may be telecast simultaneously with the broadcast. The principal difficulty at present is that most popular programs require a studio audience and NBC is not yet equipped to televise from a studio large enough to accommodate such an audience. However, when the new portable cameras are ready, they may be used in the regular studios.

Personalities in the News

William S. Hedges, NBC vice-president in charge of stations, and Lee Wailles, manager of Managed & Operated Stations, return today after a short tour of New England. . . . Donald Cook, featured player in "Skylark," joins the cast of "Life Begins," heard over CBS at 11:15 *A.M. Mondays through Friday. . . In town for the holiday weekend are Richard Bradham, one of the owners of WTMA, Charleston; Kolin Hager, manager of WGY, Schenectady; and Herbert Hollister, manager of KANS, Wichita. . . . Robert P. Myers, of the NBC legal department, is in the United Hospital, Port Chester, N. Y., for an appendectomy.*

Collaborate After 32 Years

After a separation of 32 years, Joe Howard, William Hough and Frank Adams are again collaborating on a musical comedy. Their last show, "Miss Nobody from Starland," had a long run in Chicago in 1908. Howard, now aged 73, is emcee of "The Gay Nineties Revue," heard over CBS.

Program News

"Columbia Workshop" will present Ellery Queen in "The Strange Case of the Leap Year Broadcast" on Thursday, Feb. 29, at 10:15 *P.M. The broadcast will be in its new half-hour format preparatory to the Queen show going commercial under the sponsorship of Gulf Oil when the Screen Guild Theatre discontinues for the Summer. Burgess Meredith, David Ross, Ted Husing, Kenneth Roberts, Bob Trout and Howard Barlowe will participate in the show. . . . Radio Workshop of N.Y.U. will present a weekly series of dramatizations over WMCA at* 4:30 *P.M. Saturdays. The plays will be based on case records of the Salvation Army.*

Opera Stars on Telecasts

Stars of the Metropolitan Opera Co. will appear on NBC's television station, W2XBS, on March 10 in connection with the network's drive to raise funds for the opera.

Telecast Basketball Games

Inter-collegiate basketball games will be telecast from Madison Square Garden starting Wednesday evening of next week, NBC disclosed yesterday. No extra lighting will be necessary.

New York Review

"Chump at Oxford"

(Roach-United Artists)

A combination of typical Laurel and Hardy slapstick and some more subtle touches of comedy, this latest feature of the two comedians offers a good portion of laughs and generally good entertainment.

With Hal Roach, Jr., as associate producer for his father, and under the direction of Alfred Goulding, the yarn does not lag.

As the original story and screenplay by Charles Rogers, Felix Adler and Harry Langdon has it, the two "chumps," down and out, accidentally apprehend a stickup man and go to Oxford. This is preceded by a hilarious episode wherein the two act as butler and "maid" at a swank dinner party.

Their thirst for an education results in merciless and amusing hazing by Oxford students. The highlight sequence concerns Laurel's transformation into a brilliant former Oxford student, a lord, following a blow on the head, during which period he is the lord and Hardy his servant. A second blow restores him to his rightful lowly place and ends the film.

Running time, 63 minutes. "G."* CHARLES S. AARONSON

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*"G" denotes general classification.

British Television Ruled Out for War

LONDON, Feb. 22.—The British Postmaster General declared in the House of Commons Wednesday night that there is little likelihood of a renewal of television service in England for the duration of the war. Television falls under the jurisdiction of the Postmaster General, as do all other communication services in England.

The decision was taken despite the meeting this week of the Television Advisory Committee. Television equipment manufacturers plan a meeting shortly with the committee to discuss the posibility of television resumption in the distant future.

Philadelphia Unions Settle Controversy

Peace was effected Wednesday night between two warring vaudeville and night club unions when the United Entertainers Association of Philadelphia joined the American Guild of Variety Artists as the Philadelphia local of the A.G.V.A.

The U.E.A., with 375 members, refused to join A.G.V.A. after the Associated Actor and Artistes of America revoked the charter last Fall of the American Federation of Actors. A jurisdictional fight in the Philadelphia area was threatened for several months but was avoided by Wednesday's agreement. A membership meeting of the U.E.A. on Tuesday is expected to ratify the pact, negotiated by officers of the union.

Ex-Para. Executive Trust Suit Plaintiff

W. E. Smith, one of the plaintiffs in the anti-trust suit filed in Federal court at Newark early this week against the eight major distributors and the M.P.P.D.A., is a former district sales manager for Paramount.

After leaving Paramount several years ago, Smith took over the Windsor at West Orange, the theatre involved in the complaint, and operated it until recently.

Distributors named in the complaint had not been served up to Wednesday.

Change Opening Days

ST. LOUIS, Feb. 22.—Three of the four major theatres operated by Fanchon & Marco here have changed opening dates. The Fox will change programs Saturdays, the St. Louis Wednesday, and the Missouri on Saturday. The Ambassador will continue to open on Friday.

New Sandrich Contract

HOLLYWOOD, Feb. 22.—Mark Sandrich, Paramount producer and director, yesterday received a new two-year contract.

Ascap Writ Fights Tennessee's Law

NASHVILLE, Feb. 22.—A three-judge Federal statutory court yesterday granted Ascap's application for a permanent injunction restraining Tennessee authorities from enforcing the state's anti-Ascap law.

The application was heard by Judges Taylor and Davies of the U. S. Circuit Court of Appeals and Judge Hicks of the U. S. District court in Knoxville on Monday. The final decree was entered here yesterday. Schwartz & Frohlich, Ascap's New York counsel, represented the society.

Ascap obtained a temporary injunction against enforcement of the state law, which would have barred it from operating within Tennessee, in 1938, and this restrainer has been in effect since.

The court's action is regarded as final since state authorities have indicated no disposition to appeal the ruling to the U. S. Supreme Court. Ascap attacked the state law on the grounds of unconstitutionality. It recently won a similar decision in Nebraska.

First RKO Claim Filed

Petition for a $14,500 final allowance for services rendered to RKO during reorganization proceedings, the first application to be filed in U. S. District Court, was made Wednesday by Florence J. Sullivan, attorney. Under a court order petitions for final allowances must be filed by all parties by Feb. 29. Sullivan asked for a hearing on his application on Feb. 27 at 10 A. M.

VILLAGE BARN DANCE
"Did I scare you?"
"Lady, you scare me everytime I look at you."
"I've always admired traveling salesmen.
They cover so much territory in such a short time."
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RADIO'S BRIGHTEST STARS · A Republic Picture

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VOL. 47. NO. 39 NEW YORK, U. S. A., MONDAY, FEBRUARY 26, 1940 TEN CENTS

Majors Keep Trust Replies Confidential

Production Facts Secret; More Answers Today

Advantage of the confidential clause was taken by Paramount, Warner Brothers, Twentieth Century-Fox and Metro-Goldwyn-Mayer in filing their answers to the Government interrogatories Saturday in the New York anti-trust suit.

These answers cover questions numbering 25 to 39 and they refer entirely to the production activity of the major companies.

RKO filed its answers to these queries on Friday. Columbia and Universal are expected to submit their answers today. It is expected that they, too, will insist that the Government respect the confidential nature of their replies.

Answers labelled as non-confidential will not be revealed until March 1, the date when the complete set of Government interrogatories must be answered by the film companies.

The first 25 questions, already answered, deal with the financial structure of the companies, the financial relationship between the various firms and their personnel. Questions Nos. 40 to 59 concern the distribution and exhibition methods as well as the history of the companies.

Studio Unions Watch Bioff's Chicago Fate

Hollywood, Feb. 25.—With principals representing the producers and the studio unions out of town, efforts to resume negotiations over the 10 per cent wage increase were stymied over the week-end.

Both A. H. Peterson, acting chairman of the negotiating committee for the Conference of American Federation of Labor Studio Unions, and Y. Frank Freeman, head of the producers' group, were reported out of the city.

Labor circles are watching the Chicago proceedings against William Bioff, I.A.T.S.E. leader. Should Bioff, due in court Monday following his release on a writ of habeas corpus, be given his freedom pending a review of his 1922 unfinished jail sentence by Illinois courts, he is expected to return to Hollywood to direct the unions in their discussions with producers.

Unions on Monday are likely to renew demands for an early meeting with the producers.

Korda Will Request Court to Drop Him From Goldwyn Suit

Alexander Korda and London Films Production Ltd. on Saturday filed notice in U. S. District Court that they will apply to Federal Judge Coxe tomorrow for an order dismissing the suit of Samuel Goldwyn and Samuel Goldwyn, Inc., against them.

Goldwyn is suing Korda and United Artists, seeking an injunction to restrain them from interfering with the distribution of his pictures. Goldwyn contends that his releasing contract with U. A. is cancelled.

Korda's motion does not affect the suit against United Artists. He claims that the complaint fails to state a cause of action and that it does not ask for any relief against the defendants.

The application of Goldwyn to examine Korda before trial is also scheduled to be heard tomorrow before Judge Coxe.

The Chancery Court of Delaware recently dismissed Goldwyn's suit against United Artists on the grounds that his suit did not include Korda as defendant.

AGVA Opens Vaude Parleys This Week

American Guild of Variety Artists will meet this week with representatives of all Broadway houses and circuits which use stage presentations in film houses, it was decided on Friday after a conference with Irving Lesser, manager of the Roxy.

A committee representing Screen Actors Guild, American Federation of Radio Artists, Chorus Equity and Actors Equity joined Hoyt S. Haddock, A.G.V.A. executive secretary, when he called upon Lesser to start negotiations for a contract at the Roxy. After a short discussion, both sides agreed that the issue should be settled on an industry-wide basis. A tentative appointment was set for tomorrow but it is expected that this will be postponed until later this week.

Wobber West Soon For Studio Parleys

Herman Wobber, general distribution manager of 20th Century-Fox, plans to leave next week for production conferences with Darryl F. Zanuck, at which the 1940-'41 program will be set.

Plans for next year will be discussed at the district managers' conference with home office officials in New York next Friday and Saturday.

Hamilton Appointed To Succeed Barrett

James Shelley Hamilton has been appointed executive secretary of the National Board of Review, succeeding the late Wilton Agnew Barrett, Secretary of the Committee of Exceptional Photoplays of the Board since 1930. Hamilton had been associated with Barrett for a number of years. He is the author of juvenile books, short stories and critical articles.

Grosses on Holiday Enjoy Smash Power

Smash grosses were recorded at Broadway boxoffices on Washington's Birthday as vacationing school children and out-of-town visitors crowded the Times Square area.

Fair weather, after a blizzard and a rain storm, encouraged business which continued at a steady pace throughout matinee and evening shows.

"Pinocchio," at the Center, started its third week with its best day's business thus far, an estimated $9,500 for the day. At the Roxy, "Of Mice and Men," with a stage show, completed its first week on Thursday with an estimated $56,500 for the first week. It is being held over.

The Strand drew an estimated $8,000 on the holiday with "The Fighting 69th" and Paul Whiteman's band, bringing the fourth week's gross to an estimated $39,000. "The Story of Dr. Ehrlich's Magic Bullet" opened strong there Friday, with Tommy Tucker's band on the stage.

At the Music Hall, "Abe Lincoln in Illinois," with stage show, drew long lines all day Thursday, and grossed an estimated $20,600 for the day. The Paramount, with "Sidewalks of London" on the screen and Dorothy Lamour, Barry Wood and Dick Stabile's band on the stage, took an estimated $10,500 for the day.

January Sees Boom In Theatre Building

Theatre construction started the year with an emphatic pickup of more than $500,000 over the total reported for the first month in 1939, according to a summary by Dodge Reports for the 37 states East of the Rockies.

January, 1940, contracts for new houses and major alteration work, in the 37-state area, involved 51 projects at a valuation of $1,316,000. They include 165,000 square feet of space.

In 1939, January contracts were for 47 theatre projects with 152,000 square feet, totaling $811,000.

Disney Plans Stock Issue Of $3,800,000

First Public Financing; Confers with Bankers

First public financing for Walt Disney Prod. will be undertaken this Spring with the offering of a $3,800,000 issue of six per cent convertible first preferred stock, if negotiations now under way here are consummated.

Roy Disney, business manager of Disney Prod., is in New York conferring with investment bankers on the new stock offering. He stated over the weekend that he does not expect the negotiations to be completed during his current visit. He plans to leave for the Coast at the end of the week.

Disney said that the projected new financing was made necessary by the transition of Disney Prod. from "a little business to big business." He pointed out that the company's new Burbank studio is being completed at a cost of $3,000,000 and that productions, including new feature cartoons, are under way now on a scale which will keep the company busy for the next five years.

The company has ample cash for current needs, it was said, but the studio expansion and long-range production plans make the new financing advisable.

Disney declined to divulge details of the new financing, stating that with negotiations still incomplete and with the approval of the Securities & Exchange Commission to be obtained thereafter, discussion of the financing at this time would be pointless.

CEA to Ask for 40 U. S. Films Annually

London, Feb. 25.—Cinematograph Exhibitors Association has asked the British Board of Trade to insist on at least 40 American-sponsored films a year and 40 independent productions.

The exhibitor group also asks that new legislation call for an exhibitors quota not to exceed 10 per cent, and a prohibition on the acquisition of British film theatres by foreign interests.

American interests here are expected to ask the Board of Trade to fix a definite figure to serve as the film quota with a monetary basis, instead of the present footage arrangement.

Purely Personal

LEONARD GOLDENSON and SAM DEMBOW, JR., of the Paramount home office theatre executive staff, left yesterday for Chicago and Detroit for conferences with the company's theatre associates. They will be away about a week.

•

MEL EVIDON, manager of Columbia's exchange in Des Moines, has left on a three-week motor trip to Mexico with MRS. EVIDON. BING MILLER, head booker, is in charge of the office.

•

WILLIAM WYLER, director, left Saturday aboard the *Nieuw Amsterdam* for a West Indies cruise. He is accompanied by his wife, the former MARGARET TALLICHET, film player.

•

JESS GOODMAN, office boy at the Paramount home office, is producing a play, "Flight 13," which will be presented for charity on March 19 and 20 at the Heckscher Theatre.

•

GOV. FRED P. CONE of Florida has named as lieutenant colonel on his staff the infant son of HARRY G. BALLANCE, Southern district manager for 20th Century-Fox.

•

SELMA HACKMAN, secretary to CLYDE W. ECKHARDT, 20th Century-Fox Chicago branch manager, has returned from a four-week stay at Miami Beach.

•

IRVING DASHKIN, film buyer and manager of the Savoy Theatre in Jamaica, has left on his annual vacation in Mexico and Havana.

•

JACK SICHELMAN, assistant to HERMAN WOBBER, 20th Century-Fox general distribution manager, returns today from Florida.

•

ROBERT T. KANE, in charge of British production for 20th Century-Fox, plans to return to England about March 15.

•

DEAN BANKER, M-G-M manager in Colombia, returned to his post Friday aboard the *Santa Elena* after a vacation here.

•

ARCHIE HERZOFF of the B. & K. publicity office in Chicago is in the Michael Reese Hospital for a physical checkup.

•

HARRY HAM, managing director of Myron Selznick, Ltd., sailed on the Manhattan Saturday for his post in London.

•

ED KIRKLAND, of Columbia's foreign publicity department, and ANGELA ELMIGER were married on Thursday.

•

E. B. HATRICK, vice-president of Cosmopolitan Productions, leaves for Coast conferences this week.

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Theatres Continue Finn Aid Drive

So great has been the demand from theatres throughout the country to continue the drive to assist the Finnish Relief Fund, that Major L. E. Thompson, national chairman, issued the following statement over the weekend:

"Since the close of the Motion Picture Drive for the Finnish Relief Fund, requests have been received at headquarters from hundreds of theatres requesting a continuance of the drive. In many instances theatre owners themselves have extended the period of collections for a full week. We would welcome a drive from any theatre that did not participate in our recent campaign.

"Any theatre may obtain coin collection boxes and banners for the girl collectors by applying to Vincent G. Hart, Director of Motion Picture Division, 420 Lexington Ave., Room 426, New York City.

It was announced yesterday that Jay Emanuel of Philadelphia and John H. Harris of Pittsburgh accepted Hoover's invitation to serve as chairman of the Motion Picture Drive in their respective cities. More than 500 prints of the short subject, "Finland Fights," are now in circulation throughout the country.

Wanger's $1,000,000 Libel Suit Dismissed

Appellate Division of the N. Y. Supreme Court Friday reversed a decision which had upheld the $1,000,000 libel suit of Walter Wanger and Walter Wanger Productions, Inc., against the News Syndicate Co., Inc., publisher of the *"Daily News,"* and Ed Sullivan, columnist, and dismissed the complaint.

The high court ruled that Sullivan, in a *"Daily News"* article which had discussed the Goldwyn dispute with United Artists, did not libel Wanger without proof by him of damages caused by it. The suit claimed that the article implied that Wanger produced inferior pictures.

ARTHUR ISRAEL, assistant to BARNEY BALABAN, Paramount president, is confined to his home with influenza.

•

HARLAN THOMPSON, Paramount producer, is in town from the Coast for a three-week vacation.

•

RODNEY BUSH, 20th Century-Fox exploitation and publicity manager, returns from Florida today.

•

WILLIAM D. KELLY, head of the M-G-M film department, observed a birthday yesterday.

•

JOE J. LEE, 20th Century-Fox branch sales manager here, returns from Miami today.

•

RAY GALLO, advertising manager of *Better Theatres,* is vacationing in Florida.

•

J. WALTER RUBEN, M-G-M producer, is in town from the Coast.

•

LIONEL TOLL of the I.T.O.A. has returned from Miami.

•

DAVID WHALEN of Republic returns today from Boston.

That's Right, Pete, You're Wrong, Smith

Pete Smith had all the questions right when he made "What's Your I. Q.?" M-G-M audience participation one-reeler. But—that's right, you're wrong—he made an error in answering one of his own questions.

The error was not discovered until M-G-M had sent some 300 prints of the film to all exchanges. Smith then had to make a retake giving the correct answer, which was sent to the exchanges to be spliced in the film. The error caused the national release date of Feb. 10 to be postponed.

Zanuck Stock Shift Reported by S. E. C.

WASHINGTON, Feb. 25.—Filing of a belated report by Darryl F. Zanuck, 20th Century-Fox vice-president, showing the transfer in October, 1939, of 30,000 shares of common stock to irrevocable trusts, was disclosed in the final December summary of the Securities and Exchange Commission.

The only other film transactions reported were the acquisition by J. Cheever Cowdin, Universal Corp. board chairman, of 1,000 common voting trust certificates in December, which represented his entire holdings in that class direct at the close of the year, although he also held 26,500 through Standard Capital Co., and the acquisition of two shares of Pathe Film common stock by Thomas P. Loach, vice-president, giving him a total of 13 shares.

Executives Gather For Ross Meeting

Executives of Ross Federal Service in New York and district managers throughout the country will attend a conference this week in Miami Beach. A "discussion of general policies" will be held.

In attendance will be Harry A. Ross, president; Densmore A. Ross, vice-president and general manager; Clifford B. Ross, vice-president; Frank Miske, comptroller, and William J. Schine, research director.

District managers who will participate are: Ruel Williams, Western; Walter Brown, Midwestern; J. A. Kraker, middle Atlantic; W. O. Anderson, Southern, and Harold Lund, Eastern.

Set O'Connor Drive

March 7 through April 10 has been designated "John J. O'Connor Month" by the five Metropolitan area division managers of RKO Theatres, Charles B. McDonald, Louis Goldberg, H. Russell Emde, Sol Schwartz and James Brennan, O'Connor is vice-president and general manager of RKO Theatres. Fred Meyers and Harry Mandel have been named co-chairmen of the drive.

Joseph Schenck Back

Joseph M. Schenck, chairman of the board of 20th Century-Fox, returned yesterday from Miami Beach where he arrived Thursday for a visit with his brother, Nicholas M. Schenck, president of M-G-M.

Paramount Officials To Combat Neely Bill

No definite plans for combating the Neely bill at Washington were devised by Paramount theatre associates at their recent meeting with home office executives in Miami, according to Leonard Goldenson, home office theatre executive, on his return to New York on Friday.

Goldenson said the meeting was principally a discussion of the proposed measure and its probable effects on theatre business. Opposition to the measure will be conducted by all Paramount theatre associates, he said, but will be done locally, within the confines of individual partners' operations and solely in the manner which the individual operator believes best adapted to his locality.

The meeting was attended by Paramount theatre operators from virtually every section of the country and was conducted by Barney Balaban, Paramount president. From the home office, in addition to Goldenson, were Leon Netter, Sam Dembow, Jr., and M. F. Gowthorpe.

Barney Balaban Is Due Tomorrow

Barney Balaban will return to New York tomorrow following a month's vacation in Florida. Balaban went to Palm Beach from Miami for the week-end and will start north today.

His return assures a meeting of the Paramount board for Thursday, after the postponement of last week's meeting. Stanton Griffis, chairman of the Paramount executive committee, plans to leave for Florida at the end of the week for a month's vacation.

Rites for Weber

Funeral services were held Friday at the Riverside Memorial Chapel for L. Lawrence Weber, 68, theatrical producer and member of the board of the League of New York Theatres, who died Thursday. His ventures included the organization of the Columbia Burlesque Circuit. He was also associated with Warners in an early film enterprise.

Roosevelt in Philly

PHILADELPHIA, Feb. 25.—James Roosevelt conferred with local exhibitors here prior to leaving for the Coast. He refrained from mentioning his plans to produce films for automatic machines in public places.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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"Mr. Deeds Goes To Town"...

"The Awful Truth" . . . .

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Too Many Husbands

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FRED MacMURRAY ★ MELVYN DOUGLAS

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Based on the play by W. Somerset Maugham

COLUMBIA PICTURES

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Theatre and Personnel Notes

Renovating Wisconsin House

SHEBOYGAN FALLS, Wis., Feb. 25. —[illegible]d Reeths, Jr., for the past nine [illegible] manager of Warners' Rex in Sheboygan, has taken over the Falls Theatre here and is planning to renovate the house.

Mack to Milwaukee

MADISON, Wis., Feb. 25.—Thomas Mack, Jr., formerly manager of the Warner-Saxe Tivoli and Comet, in Milwaukee, has been named assistant to Edward Benjii, manager of the circuit's Capitol here.

Fowler Is Transferred

LAKE PROVIDENCE, La., Feb. 25.—R. E. Fowler, local manager, has been transferred to manage the Arcade at Brookhaven, Miss. Edward Boyle, former Arcade manager, goes to the Rex at Abbeville, La.

Opens in Louisiana April 1

HAMMOND, Feb. 25.—Columbia Amusement Co. here plans to open its new house about April 1 and will name it the Rex.

Plans Mississippi House

BILOXI, Miss., Feb. 25.—Colus Meyers plans to build a 600-seat house here, to cost about $11,000.

Close Deals with RCA

Following theatres have contracted with RCA Photophone for the installation of new sound equipment: Terrace, Chicago; State, Charlerio, Pa.; new house at Laurinburg, N. C.; Park, Barberton, O., and the Cinema, West Lafayette, Ind.

Vineland Trust Suit Hearing March 25

PHILADELPHIA, Feb. 25.—Final hearing on the anti-trust suit instituted by Landis Theatre of Vineland, against Warner Theatres here and the major distributors has been set for March 25 before Judge Kirkpatrick in U. S. district court. A previous preliminary injunction granted to Landis was set aside by the Circuit Court of Appeals which ordered the case returned to the lower court for a final hearing.

Sues Sphinx Film Corp.

Sphinx Film Corp. was named defendant Friday in a $10,600 breach of contract suit filed by Jacob Kalich in N. Y. Supreme Court. Kalich claims that the defendant owes him $1,750 and 20 per cent of the gross of a Yiddish speaking film which he and Molly Picon made for the defendant under a contract.

Designate "Smith Month"

The five-week period beginning today has been designated by RKO as "Smith Month," in the Ned Depinet sales drive, named for Cresson E. Smith, Western and Southern sales manager, and A. W. Smith, Jr., Eastern and Canadian sales manager.

Hollywood Review

"Mystery in Swing"

(International Roadshow)

HOLLYWOOD, Feb. 25.—Excellently contrived entertainment for the Negro theatres for which it is intended, "Mystery in Swing" contains just what the title implies, being a murder mystery based on the use of a poisoned mouthpiece in a trumpet belonging to a swing musician.

The screenplay by Arthur Hoerl, with additional dialogue by F. E. Miller and William Werckenthien, handles the mystery element more than adequately, while the comedy relief and musical sequences, the latter contributed by "The Four Toppers" and Ceepee Johnson and his orchestra, are excellent.

In the all-colored cast, F. E. Miller and Buck Woods, as a police sergeant and the valet-friend of the murdered man, respectively, are responsible for the majority of the humor, while Monte Hawley, Marguerite Whitten, Tommie Moore, Edward Thompson and Jess Lee Brooks are effective in leading roles.

Arthur Dreifuss, as producer and director, and Rudolph Brent, as associate producer, have balanced the mystery and comedy elements well, and retained pace and showmanship throughout.

Running time, 75 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

Urges Trade Donate Ambulance to British

Jack Davis, head of Monseigneur News Theatres, Ltd., of England, has written Will H. Hays, president of the M. P. P. D. A., suggesting that the American film industry, through the film industry in Great Britain, donate an equipped field ambulance to the British Red Cross.

David, who is residing temporarily in the United States, wrote Hays that this would be "a gesture in the promotion of goodwill as well as in the service of humanity."

His letter continued: "It is felt by a number of people in the business here who are from England or who deal with Great Britain that this would be graciously accepted by the British people and our British confreres as a generous contribution in this time of stress and that it would serve greatly in cementing relations between the industries of the two great democracies."

Rockefeller Grant To Study Film Music

A grant of $20,000 for a two-year study of music in film production has been made to the New School for Social Research by the Rockefeller Foundation. Conducted by Professor Hanns Eisler, German composer, with the cooperation of the RCA and the Philharmonic Orchestra, the study is the first of its kind. Eisler plans to examine the possibilities of new musical forms and materials of instrumentation, the relation between music and dialogue, and the use of song and chorus, the use of sounds and noises, and problems of orchestration. A final report will be published.

Photography Nominees

HOLLYWOOD, Feb. 25.—"Wuthering Heights" and "Stagecoach" have been nominated for the Academy Award for black and white photography and "Gone With the Wind" and "The Private Lives of Elizabeth and Essex" have been nominated for the color photography award. Directors of photography of all studios participated in the voting for the nominations.

Jones to End Sales Levy in Louisiana

NEW ORLEANS, La., Feb. 25.—Elimination of the state sales tax of two per cent has been promised by Governor-elect Sam Jones, heading a reform group which was swept into power over the Long administration. Jones said that many of the existing levies now in force in the state will be done away with, basing elimination on economic government plan whereby natural resources of state are expected to pay the cost of operations. City of New Orleans may also cut its city sales tax of two per cent.

Jones' election reduces recent fears of state exhibitors that amusement field would be goat of an ever-increasing cost of government operations.

Order Seattle Union To Cease Picketing

SEATTLE, Feb. 25.—Local 154 of the operators' union here has been ordered to refrain from picketing the Center Theatre at White Center, Seattle suburb, by Superior Judge William J. Wilkins.

The judge granted a declaratory judgment in which he held that the two partners in the theatre, W. T. Coy and Ernest Lindgren, have a right to operate the house without hiring a union projectionist. Both partners are projectionists themselves, but agreed some time ago to hire a union operator part time to prevent picketing of their house. Recently they dismissed the union man and the union resumed picketing.

Drop 'Bank Night' Suit

Discontinuance of a suit of Edward Goldstein for $8,332 against Meyer and Louis Schine and the Schine Theatre Co., Inc., was filed Friday in N. Y. Supreme Court. Action sought damages for the alleged failure by the defendants to pay the plaintiff for staging "Bank Night" in the Schine theatres.

N. J. Allied to Meet

Allied Theatre Owners of New Jersey will meet tomorrow in its offices in the Sardi Building. A buffet luncheon will precede the meeting.

Ascap Undisturbed By Arrest of Buck

Ascap officials here said they felt no concern over the outcome of charges against Gene Buck, Ascap president, which were made by Montana officials and resulted in Buck's arrest in Phoenix, Ariz., late last week.

The music society has been engaged in litigation with Montana state officials since the enactment several years ago of an anti-Ascap law there. A precious attempt by Montana officials to cause the arrest of Ascap officers in New York failed when New York police refused to recognize the warrants sent here.

"The Montana charges are wholly unfounded and are designed only to harass and annoy Ascap and its officers," said Louis Frohlich, Ascap counsel.

The Montana warrant charged Buck with attempted extortion, attempt to obtain money under false pretenses and conspiracy to extort. The charges are based on Ascap's efforts to collect license fees from Montana radio broadcasters and exhibitors. The warrant was sent to Phoenix where Buck is recuperating from an illness and was served by local police. The Ascap president was released on $10,000 bond.

Gov. Ayres of Montana tomorrow will render his decision on the request for extradition of Buck. Ayers indicated Friday that unless the County Attorney offered further evidence he probably would deny the request.

At Phoenix, Ariz., meanwhile, Peace Justice Harry E. Westfall set March 5 as the date for hearing on the fugitive warrant. He also reduced Buck's bond from $10,000 to $750.

Movie Ball of ITO Set for March 23

Seventh annual "movie ball" of the New York I. T. O. A. will be held Saturday night, March 23, at the Hotel Astor. David Weinstock, vice-president, is again chairman of the committee on arrangements. He has headed the committees since the inception of these affairs.

Plans for the ball will be discussed at the next meeting of the organization March 6 at the Astor.

Start Drive on Bingo

COLUMBIA, Pa., Feb. 25.—Acting on orders of District Attorney K. L. Shirk, Arthur K. Snavely served notice on operators of Bingo games that they would be prosecuted if advertised games were held as scheduled. Although none of the local film houses uses Bingo, local newspapers have been running advertisements of Bingo at public halls. The district attorney's office announced that a number of complaints had been received by the State Motor Police at Harrisburg about Bingo games here.

Republic Copyright Suit

Copyright infringement suit against Republic Productions, Inc., Republic Pictures Corp. and Republic Film Exchange, Inc., was filed Friday in U.S. District Court by Marquis James, author of "The Raven," a biography of Sam Huston. Plaintiff claims that Republic's film, "Man of Conquest" infringes upon his biography.

Radio Brevities

WILLIAM S. PALEY, active head and largest individual stockholder of CBS since its organization in 1927, has signed a new five-year contract to serve as the network's president, it was revealed when Paley filed a registration statement with the S.E.C. Friday. Paley declared his intention of selling 20,000 shares of his Class A stock and 80,000 of Class B.

The sale will reduce his holdings from 448,636 shares, or about 26 per cent of the outstanding stock, to 348,636, or about 20 per cent.

The registration statement also set forth that the total wattage of the network's 119 stations is 919,700 watts as compared with 99 stations with 527,700 watts five years ago.

Personalities in the News

Jennings Pierce, director of education for the NBC western division, speaks tomorrow during the celebration of the 50th anniversary of the Home Economics Department of Oregon State College. . . . Raymond Massey will be heard next Sunday on "Fifth Row Center" in a dramatization of "Lincoln, the President" over Mutual. . . . Arturo Godoy, heavyweight prizefighter, will be guest of Al Pearce Wednesday at 8 P.M. over CBS. . . . Kate Smith has signed an exclusive contract with Columbia Recording. The agreement calls for 24 sides to be made during the year.

"Town Meeting" for Educators

Responding to the request of the American Association of School Administrators, NBC is not only taking its "American Town Meeting of the Air" to the St. Louis convention of the 16,000 educators but is also putting on a special school demonstration. On Wednesday, Feb. 26, a recording of the "Town Meeting" which discussed the American youth problem will be played before a picked audience of 20 Missouri high school students. The educators will watch the proceedings as the students start their own discussion at the end of the recording.

Program News

Don Ameche's new show for Old Gold cigarettes will be carried by 62 NBC-Red stations when it starts Friday, April 5, at 10 P.M. The program will originate from Hollywood with a guest star policy. Lennen & Mitchell is the agency. . . . Sterling Products will add six more stations for "Court of Missing Heirs" tomorrow to bring the total to 67 CBS stations. . . . Studebaker Sales Corp. will sponsor a twice-weekly transcription series over WJZ beginning Tuesday, March 5. Richard Himber and his Studebaker Champions will be heard Tuesdays and Thursdays from 6:30 to 6:45 P.M. . . . Bayer's Aspirin is adding four stations for "Second Husband" to bring the total to 54 CBS stations. . . . American Home Products will switch "John's Other Wife" and "Just Plain Bill" from NBC-Red to NBC-Blue on Friday, March 22. Both will be heard Mondays through Fridays with "John's Other Wife" heard from 3:30 P.M. to 3:45 and "Just Plain Bill" following it for an additional 15 minutes.

Theatrical Seeds

Albany, Feb. 25.—George Seed, manager of Fabian's Harmanus Bleecker Hall here, comes from a motion picture and theatrical family. His brother Harry is a Warner exchange manager, while Dave Seed was in vaudeville for many years with Gus Edwards, and his cousin, Phil Seed, is a motion picture bit player. Two cousins, Ben Miggins and Mike Miggins, are Continental manager for 20th Century-Fox in Europe and studio manager for M-G-M respectively.

E. W. Wood Named Mutual Sales Chief

Edward W. Wood, Jr., sales manager of WGN, Chicago, was named sales manager for the Mutual network on Friday after a two-day meeting of members and shareholders of the web in Chicago. Wood is the first to fill this post for Mutual, and he will make his headquarters in New York.

The meeting approved the five-year contracts with stations and the division of stock which was announced several weeks ago. Two representatives of affiliated stations were elected to the operating board but their names were not revealed.

Attending the meetings were W. E. Macfarlane, president; Fred Weber, general manager; Theodore C. Streibert, WOR; E. M. Antrim, and Wood, WGN; Lewis Allen Weiss, Don Lee; John Shepard, III, Colonial; H. K. Carpenter, United Broadcasting; J. E. Campeau, CKLW, and Hulbert Taft, Jr., WKRC.

Warner Explains Drama Financing

Warners' backing of such plays as "Romeo and Juliet" is purely a financial venture and has no relation to its film producing activities, said S. Charles Einfeld, Warners' director of advertising and publicity, before leaving for the Coast Friday night.

The company's legitimate production department is preparing to stage the Shakespearean drama on the Coast with Laurence Olivier and Vivien Leigh as the leads. Neither of these players is appearing in Warner pictures.

Einfeld said that Harry M. Warner, president, will come to New York late in March to attend the Hays office annual board meeting. Einfeld, who was here six weeks, plans to return in April.

Drops Broadway Plans

John Garfield has dropped plans to appear in a Broadway production of "Heavenly Express." Garfield, a Warner contract player, came East recently to arrange for production of the play, but it is understood he has had difficulty finding financial backing and a producer. He now plans to return to the Warner studio in six or eight weeks.

"Irene" Ad Agency

Barrett McCormack, RKO director of advertising and publicity, has named Buchanan and Co., advertising agency, to handle the RKO ad campaign on "Irene."

Asks Weber Action In Warner Strike

PHILADELPHIA, Feb. 25.—A resolution serving an ultimatum on Joseph N. Weber, President of the American Federation of Musicians, to take action "at once" against Warner Theatres was passed Friday at a special membership meeting of Local 77, A.F.M., which has been on strike against the Warner circuit for almost four months now. The original intention was to demand a national strike against Warners under threat of bolting the Federation and possibly joining with the CIO. However, local administration frowned upon such a drastic measure and advised the membership that a petition giving expression of the temper of the members would have the desired effect.

Films as Education Aid Are Emphasized

ALBANY, Feb. 25.—Bureau of Radio and Visual Aids of the State Education Department held open house conferences here Friday and Saturday to bring home to school administrators, supervisors and teachers from all over the state the value of films as an educational aid. State education officials displayed several films as part of the campaign.

Buy Story for Laughton

HOLLYWOOD, Feb. 25.—"Half a Rogue," Garrett Fort original, has been purchased by RKO as a vehicle for Charles Laughton. Erich Pommer will be in charge of production. "One of Six Girls" is Laughton's current film.

'Chicago' Hits Good $12,000, Leads Denver

DENVER, Feb. 25.—"Earl of Chicago," at the Denver, aided strongly by a Major Bowes unit, took in $12,000.

Estimated takings for the we[illegible]nding Feb. 21:

"Earl of Chicago" (M-G-M)
DENVER—(2,525) (25c-35c-40c) 7 days. Major Bowes unit. Gross: $12,000. (Average, $9,000)
"Little Old New York" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Of Mice and Men" (U.A.)
BROADWAY—(1,040) (35c-40c-50c-68c) 7 days, 2nd week. Gross: $3,000. (Average, $2,500)
"Sidewalks of New York" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $6,400. (Average, $6,500)
"Gone With the Wind" (M-G-M)
ORPHEUM—(2,600) (75c-$1.12-$1.50) 7 days, 4th week. Gross: $9,000. (Average, $9,000)
"Slightly Honorable" (U.A.)
"The Big Guy" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"Fighting 69th" (W.B.)
"City of Chance" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days, "Fighting 69th" 3rd week. Gross: $2,000. (Average, $1,750)

Theatre Claim Honored

SANDUSKY, O., Feb. 25.—The Court of Appeals, at Toledo, O., has ruled that a deposit of $9,727, made by the Seitz Theatre Co. here, in the closed Commercial Banking and Trust Co., is a preferred claim and should be paid in full because of a written agreement that it was to be set apart in the trust department.

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Suggested by stories by
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HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
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VOL. 47. NO. 40 NEW YORK, U. S. A., TUESDAY, FEBRUARY 27, 1940 TEN CENTS

Critics Vote 'Chips' Best 1939 Picture

Donat, Bette Davis Win Performance Awards

HOLLYWOOD, Feb. 26.—"Goodbye, Mr. Chips" was voted the best picture of 1939 by 600 newspaper critics in the annual poll conducted by the Newspaper Film Critics of America. Only films generally released during the year were included in the seven classifications.

Best performance by an actor was that of Robert Donat in the winning film, and the best actress was Bette Davis in "Dark Victory."

Second and third choices in each of the three classifications were: "Mr. Smith Goes to Washington" and "Wuthering Heights," in that order, in the first group; James Stewart in "Mr. Smith Goes to Washington" and Spencer Tracy in "Stanley and Livingstone" in the actor group, and Greta Garbo for "Ninotchka" and Rosalind Russell for "The Women," in the third classification.

Results of the poll were announced here by Merle Potter, film editor of the Minneapolis *Times-Tribune*. Awards will be presented to the winners shortly, according to Harry Martin of the *Commercial-Appeal*, Memphis, president of the critics' organization.

Best performance by a male sup-

(*Continued on page* 9)

AGVA Wins Strike At Harlem's Apollo

First strike of the American Guild of Variety Artists against a New York theatre was called Saturday night against the Apollo, in Harlem, and was settled Sunday night with the signing of a 10-month contract. Leo Brecher owns the Apollo.

The contract provides that all performers in the stage show must be A.G.V.A. members; chorus girls are to receive $30 weekly as minimum with minimums for principals fixed at $40. Rehearsal hours are limited to 14 hours per week, and extra pay is provided when there are more than 30 shows in a week. Chorus girls may not be discharged without consulting the union. The contract expires on Dec. 31.

Hoyt S. Haddock, A.G.V.A. executive secretary, declared yesterday that negotiations with representatives of all Broadway presentation houses

(*Continued on page* 2)

Week-End Grosses Firm on Broadway; Hold-Overs Strong

New films and holdovers drew strong grosses along Broadway over the weekend. At the Music Hall, the first four days of "Abe Lincoln in Illinois," with stage show, took an estimated $65,000 and the film will be held for a second week.

"The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker's band on the stage, started big at the Strand where it grossed an estimated $28,000 for the first three days.

"Seventeen" will open Wednesday at the Paramount after two weeks for "Sidewalks of London," with Dorothy Lamour, Barry Wood and Dick Stabile's band on the stage. The latter film drew an estimated $16,000 over the weekend and should finish its second week tonight with an estimated $37,000.

Ending its fifth week at the Rivoli tonight, "The Grapes of Wrath" should produce an estimated $38,000, about $3,000 ahead of the fourth week. "Gone With the Wind" grossed an estimated $60,000 for its 10th week at the Capitol while it continued at capacity at the Astor for an estimated $22,000. "Northwest Passage" will move into the Capitol on March 7 while "Gone With the Wind" remains at the Astor.

A big matinee trade on Washington's Birthday helped swell the third week gross for "Pinocchio" at the Center and it should garner an estimated $44,000 for the third stanza.

At the Roxy, "Of Mice and Men," with a stage show, grossed an estimated $27,000 for Friday, Saturday

(*Continued on page* 2)

Coast Union Chiefs Fly to Meet Bioff

Chicago, Feb. 26.—Hollywood labor leaders flew here today and tonight went into a conference with William Bioff, I.A.T.S.E. leader, to formulate preparations for the resumption of studio wage negotiations.

Bioff today won a nine-day postponement of his hearing, scheduled today, on the writ of habeas corpus under which he is free pending disposition of his 1922 conviction. His hearing is scheduled March 6.

UA Schedule Same With Stahl Deal Set

John M. Stahl's deal for the production of three pictures to be released by United Artists is scheduled to be closed this week in Hollywood.

Stahl, detained in New York for several weeks by an illness, will leave for the Coast today to close the deal with Maurice Silverstone, United Artists chief executive, who has been there for several weeks on production conferences.

Addition of Stahl to the United Artists producer ranks will give the company approximately 28 or 30 pictures for release next season, about the same number as are scheduled for the current season.

Final details of the new production schedule are being worked out this week in Hollywood by Silverstone.

Plans for the company's annual sales meetings are being arranged there by Harry Gold, vice-president and Eastern sales manager. Indica-

(*Continued on page* 4)

Current Plays Offer Scant Film Material, Says Wallis

Hal B. Wallis, Warner executive producer, before leaving for the Coast last night, said that Broadway at present offers little play material suitable for films. He mentioned "Life With Father" as one that would be adaptable to films, but did not say whether Warners are seriously considering purchasing the rights.

Wallis was here a week during which he saw plays and conferred on other story material. He said conferences on next season's product will start in about three weeks when Gradwell L. Sears, general sales manager, will arrive at the studio.

Wallis will return East in May for further conferences and a vacation in Maine and Quebec prior to the annual sales convention.

This season's production will be completed by June, said Wallis. "The Life of Freud" is being written for Edward G. Robinson, to go into production after "Brother Orchid."

By next Fall the studio will have six or eight of next season's pictures completed, said Wallis. "The Male Animal" will not be made until after the run of the play. Wallis conferred with Elliott Nugent, one of the authors and principal actors, about directing the picture for Warners, but nothing was decided because the film is not expected to be made for another year at least.

Trust Rulings Favor Majors At Nashville

Government Must Offer Bills of Particulars

NASHVILLE, Feb. 26.—Defendant film companies' motions for bills of particulars from the Government in the latter's anti-trust suit here against Crescent Amusement Co. and the major film industry were granted in large part in decisions handed down today by U. S. District Judge Elmer Davies.

Further action in the local suit is deferred for at least three months due to the fact that Judge Davies' orders give the Government 45 days in which to furnish the particulars ordered and give the defendants 45 days thereafter in which to file answers to the Government's complaint.

In addition to their victories on their motions for a more definite statement and bills of particulars from the Government, the defendants also won on a motion to exclude one section of the Federal complaint. This related to exhibition practices in this area such as cut-rate admissions, money and other giveaways, the effect of which, the Government alleged, was to put competitors out of

(*Continued on page* 4)

Trust Suit Replies Face Court's Study

The Government's answers to defendant companies' interrogatories in the New York anti-trust suit, which are scheduled to be filed here Friday, may be subjected to an appraisal by the Federal court thereafter if they fail to provide the information sought by the defendants.

The same is true of defendants' answers to the Government's interrogatories, the last of which are scheduled to be in the Government's hands also by Friday.

Some industry attorneys hold that any application for court review of the answers will provide the first definite indication of whether or not trial of the suit actually can be begun on May 1. Any extended contest over the answers, they said, would undoubtedly delay start of the trial.

Columbia yesterday was given until March 8 to file its objections to the Government's interrogatories, which originally were due today. That is the same date on which the Government is slated to file its counter objections to Columbia's interrogatories.

◀ Purely Personal ▶

BARNEY BALABAN, Paramount president, will return tonight from a month's vacation in Florida.

•

FRED LANGE, general European representative for Paramount, was delayed indefinitely in Lisbon, Portugal, when the *Dixie Clipper* cancelled all passenger reservations for its next westward trip. Next scheduled flight from Lisbon is the *American Clipper*, March 1.

•

HOWARD DIETZ, GEORGE WELTNER, RUSSELL HOLMAN, HARRY BRANDT, ARTHUR MAYER, CHARLES E. McCARTHY, SIDNEY PHILLIPS and OWEN DAVIS at Nick's Hunting Room in the Astor for lunch yesterday.

•

ALICE SMITH, chief cashier at the Fox, San Francisco, since its opening in 1927, has resigned to marry GEORGE MASON, San Francisco business man.

•

ED ROSENBAUM of Columbia's Philadelphia branch was a guest lecturer at the University of Pennsylvania last night. He discussed publicity and promotion.

•

EDNA R. CARROLL, head of the Pennsylvania Board of Motion Picture Censors, has returned to her home in Philadelphia after a three-week Hollywood visit.

•

JOHN KENNETH HYATT, managing director of the Center Theatre, is on his first vacation in five years, a 12-day Caribbean cruise on the *Nieuw Amsterdam*.

•

VYVYAN DONNER, producer of Movietone fashione shorts, and STEVE FITZGIBBON, manager of the Movietone studio, have returned from Miami where they made a film.

•

H. M. ADDISON, New England division manager for Loew's, is in Providence for conferences with EDWARD McBRIDE, manager of the State.

•

TED SCHLANGER, head of Warner theatre in Philadelphia, celebrated a birthday on Saturday. Variety Club tendered him a surprise party.

•

EDWIN M. BOOTH, M-G-M Cincinnati manager, has been named zone manager there for the Will Rogers Memorial Drive in April.

•

TERRY KILBURN, young RKO player, will end a personal appearance tour in Dallas tomorrow, returning to the Coast with his mother and his teacher, FLETCHER CLARK.

•

MARTIN QUIGLEY leaves Hollywood today on the Super Chief after a stay of three weeks on the Coast.

•

H. M. RICHEY of RKO has left for Columbus, where he will address the I.T.O. of Ohio convention tomorrow.

•

WILMA FREEMAN of Warners publicity department is confined to her home with a fractured ankle, suffered while leaving a taxicab.

•

TRUMAN H. TALLEY, general manaager of Movietone News, returns Thursday on the *Conte di Savoia* from an extended European visit.

•

AL ROSEN, manager of Loew's State, is recuperating from a relapse and expects to be back on the job in a few days.

•

NATE J. BLUMBERG, Universal president, will arrive in New York today from Florida.

•

JAMES R. GRAINGER, Republic president, left Hollywood yesterday for San Francisco on a two-day business trip.

•

GEORGE STEVENS, director, arrived from the Coast over the weekend for a short stay.

•

MR. and MRS. HUGO MAYER are vacationing in Havana.

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More Time Allowed To File RKO Claims

Time for filing petitions for allowances for services performed in the reorganization of RKO will be extended by Federal Judge Bondy from March 1 to March 15.

The extension was asked by Irving Trust Co., RKO reorganization trustee, and Atlas Corp., proponent of the reorganization plan, which with their counsel, Donovan, Newton, Leisure & Lumbard, and Simpson, Thacher & Bartlet, respectively, were unable to complete their seven-year service records on which their applications for allowances will be based, within the time originally prescribed.

Atlas may ask for compensation in the form of new RKO common stock in an amount to be approved by the court. Provision for this was made in the RKO reorganization plan.

Irving Trust will file its final report as RKO trustee in conjunction with its application for allowances. Interim payments have been made from time to time during the reorganization to both Irving Trust and its counsel.

AGVA Wins Strike At Harlem's Apollo

(*Continued from page 1*)

would have to start this week. If no appointment can be arranged within that time, Haddock said, the union would insist that the Roxy negotiations be started separately.

A.G.V.A. received pledges of support Sunday from Hotel & Restaurant Workers International Union and the N. Y. Hotel Trades Council, in the organization of the night club and hotel field. The drive against hotels is scheduled to start later this week.

Sacrilegious Laugh

London, Feb. 10. (*By Mail*) — Weston-super-Mare, populous coastal resort in the West of England, must not laugh at its films on Good Friday.

The authorities there, while agreeing that film houses might open in the town on that day, asked one exhibitor to find another film to replace the one he intended showing, "The Day the Bookies Wept." They had previously banned a comedy for Christmas Day showing.

Deny Discrimination In Dating of 'Wind'

In a letter to P. J. Wood, business manager of the I.T.O. of Ohio, M-G-M yesterday denied that small town theatres are being discriminated against in the dating of "Gone With the Wind."

E. W. Aaron, assistant to W. F. Rodgers, general sales manager, replied to a wire from Wood in the absence of Rodgers, who is in California. Wood requested that the company send a sales representative to speak at the I.T.O. convention in Columbus starting tomorrow and answer the charges of alleged discrimination.

Aaron advised Wood that dates are being held up because of a shortage of prints and that small town bookings are being set as fast as prints become available. Wood also was advised that M-G-M cannot have a representative at the convention because in addition to Rodgers, both division managers, T. J. Connors and E. M. Saunders, are out of town.

All of the 350 prints of "Gone With the Wind" which have been received from the color studios are now in work.

Pleas in Goldwyn's Suit Are Postponed

Cross-applications in Samuel Goldwyn's suit against United Artists, Alexander Korda and London Film Productions were postponed to March 15 in a stipulation filed yesterday in U. S. District Court.

The postponement refers to a motion by Goldwyn to examine Korda before trial, one by Korda and London Film to dismiss the suit against them, and an application by U. A. for an order to strike out parts of the complaint and for a bill of particulars.

Under terms of the stipulation, answering affidavits must be served by tomorrow and all replies by March 12.

GN Auction on Coast

HOLLYWOOD, Feb. 26.—Movable effects of Grand National Pictures will be sold at an auction here Wednesday and Thursday to satisfy creditors.

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WITH PROJECTION ROOM AND
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Equity Drafts Plans For Changes in 4A

Recommendations for specific changes in the setup of the Associated Actors and Artistes of America were made at a special meeting of the Actors Equity council yesterday but no announcement of the changes demanded was made. The statement after the meeting merely noted that American Federation of Radio Artists and Screen Actors Guild "would be given an opportunity to answer the recommendations," indicating that the 4-A internal difficulty is far from settled.

The Equity council has had a special committee studying its relations with the 4-A for several months as a result of considerable dissatisfaction with the operations of the parent body. Recently, the S.A.G. threatened to sever its relations with the 4-A because of delay in formulating a plan for "one big union." After conferences on the coast, it was reported that the differences had been settled.

Equity is not satisfied with the high cost of operations in the 4-A and the manner of allocation of the debt incurred during last Summer's jurisdictional fight with the I.A.T.S.E., union sources said.

Week-End Grosses Firm on Broadway

(*Continued from page 1*)

and Sunday in its second week. "The Blue Bird" will open there on Friday.

A house record was set at the 55th St. Playhouse on Washington's Birthday when "The Human Beast" (Juno) grossed an estimated $1,000 for the day. At the Rialto, "A Chump at Oxford" drew an estimated $8,300 for the week and was replaced by a revival of "Hell's Angels." The Globe drew an estimated $6,500 with "East Side Kid."

New Times Square Theatre Opens Soon

Construction of the new 600-seat New York Theatre, latest addition to Times Square, is expected to be completed in time to allow the house to open during Easter Week. It occupies the site of the old George M. Cohan Theatre. The theatre has been leased for 21 years by Consolidated Amusement Enterprises, Inc.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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PETE SMITH'S newest fun specialty is audience joy!

"WHAT'S YOUR I. Q.?"

It's a brand new twist on audience participation in a Screen Quiz. They won't care whether they know the answers or not because the gags and surprises come thick and fast. It was previewed on the West Coast and it left the audience limp. Here's how to put the folks in a happy mood for the entire show. Another Pete Smith showmanship coup for M-G-M. (*No wonder Leo Junior, was voted best producer of Shorts in the industry in M. P. Herald and Showmen's Trade Review poll. And Pete Smith's Shorts led Leo Junior's success parade.*)

Majors Are Victors In Nashville Ruling

(Continued from page 1)

business and create an exhibition monopoly in the area.

Judge Davies ordered this section of the Government complaint stricken out, concurring with defendants in their contention that such exhibition practices are purely local in character, have no bearing on interstate commerce and do not come under the ban of the Sherman anti-trust law.

"The court is of the opinion," Judge Davies said, "that such local acts in themselves, not alleged to have been part of a conspiracy for the purpose of restraining interstate commerce, do not directly restrain and burden interstate commerce, and the court does not regard the acts alleged as creating a direct and substantial burden on interstate commerce."

Denying the Government's plea to overrule defendants' motions for bills of particulars, Judge Davies held that defendants were following the proper procedure in making their requests.

He granted 75 separate requests for particulars by defendant companies having theatre affiliates and denied 49 of their requests. The non-theatre owning defendants, United Artists, Columbia and Universal, were granted 66 requests for particulars and had 61 denied.

The requests denied in both groups were either those which the court held were of an "evidentiary" nature and could be properly put to the Government in the form of interrogatories later, or had been granted to the theatre-owning defendants and, therefore, did not need to be granted to the second group additionally.

John W. Caskey of Dwight, Harris, Koegle & Caskey, New York, represented the first group of defendants and Louis D. Frohlich of Schwartz & Frohlich, New York, the second group. They were assisted by counsel from Nashville and Memphis.

UA Schedule Same With Stahl Deal Set

(Continued from page 1)

tions are that three regional meetings, East, Midwest and Far West, will be held in April.

Nine of the company's forthcoming releases are completed now and awaiting release arrangements, Lynn Farnol, United Artists advertising and publicity director, reported yesterday on his return to New York from a two weeks' visit on the Coast.

These are Charles Chaplin's "Production Number 6;" "Rebecca," "My Son, My Son," "Our Town," "The Westerner," "House Across the Bay," "Thief of Bagdad," "Over the Moon," and "1,000,000 B. C."

Three of these, "Rebecca," "My Son, My Son" and "Our Town," have been booked by the Music Hall for New York premieres, Farnol said.

The Chaplin picture will be titled "The Great Dictator" if negotiations now under way with Paramount, which owns the title "The Dictator," are successful. The picture will be released this Summer, it was said.

Additional pictures scheduled for release this season, but not in work yet, include "Kit Carson," "Personal History" and "Pago Pago," Farnol said.

Silverstone, Gold and Charles Schwartz, United Artists attorney, are expected from the Coast early next week.

Ohio ITO Parley Tomorrow To Study Television Threats

COLUMBUS, Feb. 26.—There are 18,000 restaurants and bars in Ohio which are potential receivers of television broadcasts and therefore represent possible future competition to theatres, according to Martin G. Smith, president, I.T.O. of Ohio.

In a bulletin outlining subjects to be discussed at the seventh annual convention of the I.T.O. at the Neil House here on Wednesday and Thursday, Smith states:

"With the announcement that commercial television is all ready for the American market, it creates a vast new field of competition to motion picture theatres." He suggests that consideration be given to legislation that will "place theatres on at least an equal footing" with prospective television competitors.

Abram F. Myers, general counsel of Allied States, and H. M. Richey, director of exhibitor relations for RKO, will be among the speakers. Charles L. Casanave, vice-president and general manager of Advertising Accessories, Inc., will discuss the aims of the new National Screen Service subsidiary.

The practice of Ohio authorities in permitting "charity bingo" while prohibiting cash giveaways in theatres will be debated. Smith declares that in 1939 bingo parlors licensed by the City of Cincinnati took in $2,000,000 with a consequent loss in business to theatres. He believes that this licensing feature is likely to spread to other cities in the State.

Carlton S. Dargusch, counsel to the I.T.O., will discuss the pending suit by a taxpayer to force the collection of a sales tax from exhibitors. This involves about $2,000,000 in back taxes.

Among other subjects scheduled for open forum discussion are: "Forcing" of Sunday playing time on percentage pictures; cancellation privileges and the "non-forcing" of shorts and newsreels; possible effects of passage of the Neely bill on independent exhibition; growth of 16mm. exhibition, and admission prices.

Justice Arthur H. Day of the Ohio Supreme Court will be toastmaster at the banquet Wednesday night. Officers and directors will be elected at the final session Thursday. Ten companies will exhibit theatre equipment and accessories.

Harriscolor Films Reorganization Set

Harriscolor Films, Inc., has been reorganized to the satisfaction of creditors and stockholders, according to Emil K. Ellis, attorney.

Ellis says that a decree will shortly be presented to the Chancery Court at Wilmington, Del., to discharge the company from receivership. The company entered the color film field on the Coast about eight years ago and discontinued operations four years ago when it entered receivership.

Harriscolor was founded by Joseph B. Harris, Sr., who died last December. J. B. Harris, Jr., is now president.

Vancouver May Cut Building of Theatres

VANCOUVER, B. C., Feb. 26.—Vancouver's City Council is considering methods to limit construction of theatres by assigning per capita quotas on maximum number of seats to be allowed in any district in the city.

The president of the British Columbia Theatre Association spoke for suburban owners in recommending such a move, pointing out that there is now one seat for every seven persons in the Vancouver area. New theatres are continually being built in spite of the fact that the city is already over-seated, he said.

Dismiss Mississippi Action on Bank Night

GULFPORT, Miss., Feb. 26.—Chancellor D. M. Russell in Chancery Court here has dismissed the suit of Jack Whall, patron, against the Saenger Theatres, Inc., challenging the legality of Bank Night as conducted by the defendant in its Gulfport theatres.

Whall brought suit to recover $3,000 in admissions allegedly paid by himself and "others" and sought to have Bank Nights stopped on the ground that it is a "public nuisance."

Canada Plans Films On Activities in War

TORONTO, Feb. 26.—With the appointment of G. Herbert Lash, former newspaperman, as director of public information, succeeding Walter Thompson, who retired because of ill-health, the Canadian Government has launched a film production program under the sponsorship of the Bureau of Information and the National Film Board.

One picture will be released each month dealing with Canada's wartime activities. The official series will include "Private Lives," depicting the activities of Canadian troops now in England; will be followed by "Atlantic Patrol," dealing with naval and air force along the Atlantic Seaboard; "Canadian Women in War," "Empire Air Training in Canada" and others dealing with industries and Government bureau operations.

Protection Is Asked On Drive-In Theatre

MILWAUKEE, Feb. 26.—Local exhibitors will request protection on clearance over the new $30,000 drive-in theatre being erected in the town of Brookfield, it was indicated following a zone meeting of the I.T.P.A. of Wisconsin at the Hotel Hilton in Beloit.

The meeting was attended by independent exhibitors operating in the area effected by the new project, and the general opinion was that the theatre should not be permitted to play product until it had cleared Milwaukee.

Reuben Samuels Buried

Funeral services were held yesterday at the Riverside Memorial Chapel for Reuben Samuels, 62, head of the film insurance concern bearing his name, who died Friday in Miami. Burial was at Union Field Cemetery, Queens.

34 New Films Now Shooting On Coast Lots

HOLLYWOOD, Feb. 26.—Thirty-four pictures were before the cameras this week as eight started and seven finished. Nineteen were in final preparation stages and 64 are being edited.

Columbia

In Work—"The Doctor Takes a Wife," "The Man Who Would Not Die."

Started—"Offenders of the Law."

M-G-M

Finished—"40 Little Mothers."

In Work—"Two Girls on Broadway," "Dr. Kildare's Girl," "Edison the Man," "Waterloo Bridge," "Pride and Prejudice," "And One Was Beautiful," "The Mortal Storm," "20 Mule Team," "Susan and God."

Started—"Andy Hardy Meets a Debutante."

Monogram

Started—"Covered Wagon Trails," "Son of the Navy."

Sol Lesser

In Work—"Our Town."

Paramount

In Work—"Destiny," "The Ghost Breakers."

RKO

In Work—"You Can't Fool Your Wife," "The Saint Takes Over."

Republic

Finished—"Rancho Grande," "The Dark Command," "Ghost Valley Raiders."

Roach

Started—"Turnabout."

Small

In Work—"South of Pago Pago."

20th Century-Fox

Finished — "Earthbound," "Star Dust," "Charlie Chan's Cruise."

In Work—"Lillian Russell," "On Their Own."

Started—"Maryland."

Universal

In Work—"It's a Date," "Sandy is a Lady," "If I Had My Way."

Started—"La Conga Nights."

Warners

In Work—"The Sea Hawk," "All This and Heaven, Too," "An Angel from Texas," "Torrid Zone."

Started—"Flight Eight."

RKO Disputes Facts In Article on Welles

Representatives of RKO's legal department have advised the *Saturday Evening Post* that certain parts of that magazine's story about Orson Welles, carried in the issue of Feb. 17, were erroneous. Not only is the Orson Welles contract in effect but RKO has not "bought itself off for $160,000," and "no budget of over $1,000,000 on Welles' picture has ever been submitted." The article to which RKO takes exception was written by Alva Johnston and Fred Smith.

Critics at Ampa Meeting

Kate Cameron, film critic of the *News*, on behalf of other critics, will wish Frank S. Nugent of the *Times* godspeed on his forthcoming departure to the Coast, at the Ampa meeting at Jack Dempsey's restaurant Thursday noon. Nugent leaves shortly for the 20th Century-Fox studio where he will start on a writing contract.

JUMPING GROSSES EVERYWHERE!

WHEELING, W. VA.
Opening gross "My Little Chickadee" surpasses all previous record holders including "My Man Godfrey" "Magnificent Obsession" "Showboat"!

"A fantastic burlesque of the Westerns . . . delightfully absurd!"—*Chicago Daily News*

CHICAGO
"My Little Chickadee" gives the Palace its two greatest weeks this season!

"Fields and West run riot in 'My Little Chickadee'!"
—*Washington Times Herald*

WASHINGTON
"Chickadee" held over at Keith's... heading for third smashing week!

"Gusty, lusty humor..."
—*Motion Picture Daily*

'A box office natural!"
—*Hollywood Reporter*

'. . . Clean-up business t the box office!"
-*Showmen's Trade Review*

ROCHESTER
A smash week at the Palace and holding over for 2nd week!

"A lusty comedy of high order...a film that makes you chuckle with joy?"
—*Washington Post*

"Mae West, blonde and curvacious . . . Fields uproariously funny!"
—*Chicago Times*

MIAMI
(Telegram From Lincoln Theatre)
"MY LITTLE CHICKADEE" SETS NEW HIGH THIS SEASON!"
—Sonny Shepherd

"A hefty package of lusty humor that will click for surprising grosses . . . !"
—*Variety*

OHNSTOWN, PA.
"Chickadee" opening at State Theatre beats "Destry Rides Again" and "First Love!"

INDIANAPOLIS
"My Little Chickadee" tops "Destry Rides Again" at the Indiana Theatre by better than 25%!

'Audiences laughed . . . so loudly and long as to drown out whole sequences of dialogue!"
—*Motion Picture Herald*

TROY
"Chickadee" almost double "Destry" business at Proctor's!

"Box office power! . . . West-Fields combination can't miss!"
—*Daily Variety*

SEATTLE
aramount Theatre urns them away vith "My Little hickadee" hitting ew highs!

SPRINGFIELD, Ill.
Roxy Theatre reports "My Little Chickadee" beats both "Destry" and "First Love!"

'Laugh-packed comedy rates as box office natural!"
—*Film Daily*

HARTFORD
"Chickadee" tops every Universal picture ever played at Loew's Theatre!

CORRAL THOSE PROFIT DATES from UNIVERSAL!

". . . Sure fire for audience reaction!"
—*Boxoffice*

RADIO CITY
MUSIC HALL
Showplace of the Nation • Rockefeller Center

Triumph!

Held Over! Second Week!

"**BRILLIANT**... a grand picture. We have no hesitation in calling the film the play's superior, in calling Raymond Massey's screen Lincoln better than his play's Lincoln."
—Frank S. Nugent, *Times*

"**SUPERB**, all of it . . . all the superlatives which were justifiably lavished on the stage production of Robert E. Sherwood's 'Abe Lincoln in Illinois' may justifiably be heaped on the screen version of this memorable drama."
—William Boehnel, *World-Telegram*

"**UNFORGETABLE** screen impersonation . . . Massey's acting transcends mere make-believe . . . a profoundly stirring motion picture experience."—Howard Barnes, *Herald-Tribune*

"**RICH IN HUMOR**, as any true picture of Lincoln should be . . . Massey makes the character a shining figure . . . a picture that can be seen again and again."—Eileen Creelman, *Sun*

"**MASTERPIECE**—Such beauty, such simple honesty and truth, that 'Abe Lincoln in Illinois' joins the small company of American films that merit the label of masterpiece."
—*Life Magazine*

"**A SCREEN TRIUMPH** . . . a picture with a heart and soul . . . Massey gives one of the greatest performances we have ever seen on the screen . . . the great play greater as a film."—Kate Cameron, News

"**GREATER** than the play . . . no matter what great movie which should be seen by every American."—Archer Winsten, *Post*

"**INSPIRED** performance . . . in its movie version 'Abe Lincoln in Illinois' is every bit as fine and beautiful as the Pulitzer Prize winner . . . fashioned from the flesh and blood of Lincoln."
—Lee Mortimer, *Mirror*

"**IMPRESSIVE** . . . reverent picture, directed with straightforward simplicity." — Rose Pelswick, *Journal-American*

ROBERT E. SHERWOOD'S

ABE LINCOLN IN ILLINOIS

starring

RAYMOND MASSEY

with Gene Lockhart, Ruth Gordon, Mary Howard
Produced by Max Gordon • Directed by John Cromwell
An RKO Radio Picture

•

ON THE GREAT STAGE

"Curtain Time"—all the magic of the world across the footlights . . . produced by Russell Markert, settings by Nat Karson . . . featuring Paul Haakon, Loper and Barrat, Three Oxford Boys, Nicholas Daks, Hilda Eckler, Leda Anchutina, Louise Fornaca, Robert Regent, Earl Lippy, with the Music Hall Rockettes, Corps de Ballet, Glee Club. Symphony Orchestra, under the direction of Erno Rapee.

•

Doors Open Today and Tuesday 10:30 A. M.
Picture at: 10:45, 1:43, 4:38, 7:35, 10:32 • Stage Show at: 12:39, 3:32, 6:27, 9:30
FIRST MEZZANINE SEATS RESERVED • Phone Circle 6-4600
Ample Parking Space Rockefeller Center Garage, 48th to 49th Sts., between 5th and 6th Avenues

Theatre and Personnel Notes

Manages Bridgeport House

BRIDGEPORT, CONN., Feb. 26.—Dan Ricitelli, former assistant ad sales manager at the New Haven 20th-Fox exchange, New Haven, has been appointed manager of Sam Hadelman's Colonial, recently taken over from Lou Anger. Domenick Somma, formerly with Grand National, has Ricitelli's former post.

Warners Shift Manager

NEW HAVEN, Feb. 26.—Warner Theatres have appointed William Flanagan, of the Lenox, Hartford, as manager of the Lyric, Hartford, replacing Paul Binstock, resigned. Thomas Maller of the Rialto, Hartford, moves to the Lenox, and Victor Morelli of the burned Bristol takes Maller's position.

Managers Transferred

PHILADELPHIA, Feb. 26.—Joseph Nevinson, manager of Warners' Grange, has taken over at the Bromley in the same capacity, filling a vacancy resulting from the death of Gershon Shalita. Henry Eytting, assistant manager at the Bromley, was transferred to the Grange as house manager.

Buys Iowa Theatre

AFTON, IOWA, Feb. 26.—Charles T. Parish, associated with Alton Smith of Murray, Iowa, in the ownership of the Paris here and a theatre at Murray, has bought the Smith interest in the Paris and will assume the management, assisted by Don Rutledge.

Opens Conn. House Soon

RIDGEFIELD, Conn., Feb. 26.—Irwin Wheeler, who operates the Darien, will open the new 700-seat Ridgefield Playhouse, first house in the town, late in March. The house is being constructed at an estimated cost of $75,000.

Rebuilding Arkansas House

CLARENDON, ARK., Feb. 26.—J. W. Crabtree has bought the lot and materials from H. E. Lynch where the Paramount burned several weeks ago, and is making arrangements to erect a new theatre.

Sanders Takes Elton

The Elton, 4217 New Utrecht Ave., Brooklyn, has been taken over by Julius Sanders. The theatre will be booked by Harry Brandt. It will close temporarily and will reopen on March 25.

Repair Philadelphia House

PHILADELPHIA, Feb. 26.—The Benn Theatre, recently damaged by fire, will be repaired immediately.

Navarre Quits U. A.

SEATTLE, Feb. 26.—Guy Navarre for seven years manager of United Artists' local exchange, has resigned and is succeeded by Peter Higgins, at present a salesman for the company in western Washington. Higgins' sales territory will be taken over by A. J. Sullivan, at present selling in eastern Washington. Sullivan's route will be covered by Al Bloom, former booker for Universal and more recently head of a local state rights exchange.

Building in Alabama

RIVERVIEW, Ala., Feb. 26.—A new 450-seat theatre is being constructed here by the West Point Manufacturing Co. at a cost of approximately $35,000.

Remodel Coast House

HOLLISTER, CAL., Feb. 26.—The State, owned and operated by Golden State Theatres of San Francisco, is being completely remodelled.

Reseating Two Houses

TAHLEQUAH, Okla., Feb. 26.—J. P. Thompson, operator of the Sequoyah and Thompson here, plans to re-seat the two houses.

Remodel in California

TURLOCK, CAL., Feb. 26.—Fox Theatre here is being remodelled by United California Theatres.

Equipment Is Renewed

WOODWARD, Okla., Feb. 26.—The Woodward Amusement Co., operator of the Woodward, has purchased two new projection machines.

Remodels Oklahoma House

WALTERS, Okla., Feb. 26.—Glen Thompson, operator of the Thompson here, recently installed new sound equipment and remodeled the house.

Reopens in Fort Dodge

FORT DODGE, Iowa, Feb. 26.—F. B. Damon has reopened the Park here after a brief closing for installation of new lighting fixtures.

Former Owner Takes House

DELMAR, N. Y., Feb. 26.—The Delmar here has reverted from Roger Marmon to its previous owner, Jarvis Brothers.

Manages Berkeley Theatre

BERKELEY, CAL., Feb. 26. — Joe O'Connor, veteran California showman, has been named manager of the Rivoli.

Renovate Massachusetts House

PITTSFIELD, MASS., Feb. 26.—Nathan E. Goldstein will close the Capitol shortly for complete renovation.

Notes from Coast Studios

HOLLYWOOD, Feb. 26.—With the purchase by DARRYL ZANUCK of "I Married a Nazi," *Liberty Magazine* serial, for early production, attention last week was centered upon films of topical events in Europe. M-G-M is shooting "The Mortal Storm," from the PHYLLIS BOTTOME novel with JAMES STEWART and MARGARET SULLAVAN heading a name cast, and is preparing "Escape," written by Ethel Vance. Both deal with current conditions in Germany.

Paramount for some time has been paring "Polonaise," which deals with the seige of Warsaw. The same studio also has a property called "Blackout."

"Three Way Justice," original story by ARNOLD BELGARD and JACK ROBERTS, has been bought by RKO for a GEORGE O'BRIEN western. . . . MYLES CONNOLLY has been signed by CHARLES R. ROGERS to prepare the screenplay of "Senate Page Boys," for Columbia release. . . . GAIL PATRICK and GEORGES METAXA have been added to the cast of Columbia's "The Doctor Takes a Wife," starring LORETTA YOUNG and RAY MILLAND.

RALPH BELLAMY and VIRGINIA BRUCE, the latter newly signed to a term contract, will be starred in "Flight No. 8," at Warners. . . . RUTH TERRY has been borrowed from WALTER WANGER for Warners' "Angel from Texas." . . . Paramount has charged the title of "The Woman from Hell" to "Queen of the Mob." . . . M-G-M has put JONATHAN LATIMER and JOSEPH FIELDS on the script of "Nick Carter in Panama," second of a proposed Nick Carter series. The first one starred WALTER PIDGEON.

Paramount has changed the title of "At Good Old Siwash" to "Those Were the Days" and of HARRY SHERMAN'S "Hold Your Horses" to "Stagecoach War." . . . HATTIE MCDANIELL has been borrowed from DAVID SELZNICK for 20th Century-Fox's "Maryland," whose cast is headed by BRENDA JOYCE, JOHN PAYNE, WALTER BRENNAN, CHARLES RUGGLES, FAY BAINTER and MARJORIE WEAVER. . . . EDNA MAY OLIVER for "Pride and Prejudice," and C. AUBREY SMITH to "Waterloo Bridge" are new M. G. M. castings. . . .

PRESTON STURGESS has been assigned to adapt his original, "A Cup of Coffee," at Paramount. VIRGINIA VAN UPP draws the screenplay of "There's Always Juliet" at the same studio. . . . SAMUEL GOLDWYN has extended the contract of DORIS DAVENPORT, feminine lead in "The Westerner." . . . M-G-M has given ROBERT YOUNG a new contract.

Wendy Barrie will play the feminine lead in "The Saint Strikes Back" at RKO. . . . Clarence Muse will star in "Broken Strings," all-Negro film being produced and directed by B. B. Ray for International Roadshows. Muse wrote the original story which was adapted by Earl Krusada, Muse and David Arlen. George Randol is supervisor of production. . . .

Maureen O'Hara, Lucille Ball and Barbara Read top the cast of RKO's "One of Six Girls," original by Vicki Baum. . . . James Dunn draws the male lead in "Son of the Navy" opposite Jean Parker. Grant Withers will produce the film for Monogram, and William Nigh will direct. . . .

Monogram has signed Paul Malvern to produce "Queen of the Yukon," from the Jack London story. . . . Boris Karloff will be starred in "The Man Who Would Not Die," Columbia, which Nick Grinde will direct. . . . Florence Enright has been signed by Paramount as dramatic coach. . . .

May McAvoy has been given a term contract at M-G-M. . . . John King and Marjorie Reynolds top the cast of "Midnight Limited," Monogram. T. R. Williams will produce from an original screenplay by C. B. Williams and Harrison Carter. Howard Bretherton will direct. . . .

Tips on Exploitation

Extensive 'Ehrlich' Campaign in Albany

ALBANY, Feb. 26.—Charles Smakwitz, Warner Theatres district manager, and Jules Curley, advertising manager, personally handled exploitation on a large-scale campaign for "Dr. Ehrlich's Magic Bullet" here. They ascertained that Assemblyman Harold B. Ehrlich, Republican of Buffalo and chairman of the Assembly Claims Committee, was a lineal relation of Dr. Ehrlich. They arranged an interview with Ehrlich by a film critic, with attendant ballyhoo.

Preceding the picture's run, Smakwitz held a screening for 40 health officers, headed by the State Commissioner of Public Health, Dr. Edward S. Godfrey and the chief surgeons and doctors in all hospitals within a 25-mile radius.

Radio, Film Tieup Set on 'Fu Manchu' Serial

Republic and Radio Attractions, Inc., has arranged a nationwide cooperative promotion tieup on the radio program, "The Shadow of Fu Manchu" and the Republic serial, "Drums of Fu Manchu." Theatres playing the serial will publicize the program, and the sponsors of the show will in turn use spot announcements on the film serial.

$300 in Prizes Offered For 'Capture' of 'Raffles'

In conjunction with the run of "Raffles" at local Loew theatres, the New York *Journl* and *American* will offer $300 in rewards for the "capture" of a man roaming about the town and posing as the elusive crook. Fifty dollars is paid daily for six days to the person who identifies "Raffles."

'Headless' Ushers Plug 'Invisible Man'

ALBANY, Feb. 26.—Theme of "The Invisible Man" was played up when the picture played Warners' Ritz, ushers walking about town in contrivances with pickle jars atop their heads to provide an eerie headless effect. The sandwich men stalked into the newspaper offices and made the stunt good for pictures and stories.

'Jury' Decision Used on 'Remember'

OKLAHOMA CITY, Feb. 26.—For the picture, "Remember the Night," Spence Pierce, manager of the Midwest, appointed a jury of 12 as critics to determine whether the picture rated the three stars *Liberty Magazine* gave it or four and one-half stars, which Pierce said he felt the picture was worth.

Tieup with Libraries Aids 'Swiss Family'

PROVIDENCE, Feb. 26. — George French, manager, and William Morton, exploiteer at the RKO-Albee, stressed the book angle in selling "Swiss Family Robinson," planting exhibits of books and stills in the Providence Public Library and its seven branches, in school libraries and made tieups with bookstores.

Critics of U. S. Vote 'Chips' Best Picture

(*Continued from page* 1)

porting player was Thomas Mitchell in "Stage Coach." Brian Aherne was second in "Juarez," and Akim Tamiroff was third in "Disputed Passage."

Best performance by a female supporting player was Greer Garson in "Goodbye, Mr. Chips," Rosalind Russell in "The Women" was second, and Al[illegible] Brady in "Young Mr. Lincoln" was third.

Young actor most likely to win greatest fame in 1940 was Jeffrey Lynn. Eddie Albert was second, and John Howard was third.

Young actress most likely to win greatest fame in 1940 was Maureen O'Hara. Linda Darnell was second, and Lana Turner was third.

Those winning honorable mention for young actor most likely to win greatest fame in 1940 were: Richard Carlson, Robert Cummings, William Holden, Victor Mature, Edmund O'Brien, Robert Preston and Robert Stack. Young actresses receiving honorable mention were: Betty Field, Susanna Foster, Helen Gilbert, Gloria Jean, Brenda Joyce, Mary Martin, June Preisser.

'Sidewalks,' $7,000 Leads Providence

PROVIDENCE, Feb. 26.—Bad weather cut grosses, the Strand's double, "Sidewalks of London" and "Money to Burn," bringing in $7,000, the only above-average take in town.

Estimated takings for the week ending Feb. 20-22:

"Vigil in the Night" (RKO)
"The Marines Fly High" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (75c-$1.10-$1.65) 6 days, 4th and last week. Gross: $10,000. (Average, $11,000)

"Little Old New York" (20th-Fox)
"Young As You Feel" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,700. (Average, $7,000)

"Sidewalks of London" (Para.)
"Money to Burn" (Rep.)
STRAND — (2,200) (25c-35c-50c) 7 days. Gross: $7,000. (Average, $6,000)

"Oh, Johnny, How You Can Love" (Univ.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Harry Rose, Variety Gambols, Jean Devereaux, Gibson & Co., and the Romano Brothers. Gross: $4,900. (Average, $6,500)

"Fighting 69th" (W.B.)
"Danger On Wheels" (Univ.)
CARLTON — (1,526) (25c-35c-50c) 7 days, 3rd week. Gross: $2,900. (Average, $3,500)

"The Great Victor Herbert" (Para.) (3 days)
"Barricade" (20th-Fox) (3 days)
"Four Wives" (W.B.) (4 days)
"Invisible Man Returns" (Univ.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,100. (Average, $1,700)

'Hudson' at $4,300 In Omaha's Slump

OMAHA, Feb. 26.—"Castle on the Hudson" grossed $4,300 at the Brandeis. Generally quiet business combined with adverse weather to keep grosses down.

Estimated takings for the week ending Feb. 22-23:

"Castle on the Hudson" (W.B.)
"Marines Fly High" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,300. (Average, $4,000)

"I Take This Woman" (M-G-M)
"Kid Nightingale" (W.B.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $5,800. (Average, $6,000)

"Geronimo" (Para.)
"Seventeen" (Para.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,700. (Average, $7,600)

Hollywood Review

"The Castle on the Hudson"

(*Warners*)

HOLLYWOOD, Feb. 26.—A grippingly tragic story of an East Side New York youngster who, lacking proper environment, turned to crime, is told in Warners' "The Castle on the Hudson," the title referring jocularly to Sing Sing prison. John Garfield, Ann Sheridan and Pat O'Brien top a cast which includes Burgess Meredith, Henry O'Neill, Jerome Cowan, Guinn Williams, John Litel and Margot Stevenson.

The story has Garfield committed to Sing Sing for the commission of a felony. Hardened by environment, he changes under the supervision of O'Brien, the humanitarian warden who permits him a furlough when Miss Sheridan, the youngster's sweetheart, is believed to be dying. Suspected of a murder she commits, Garfield returns to prison only when the warden is censured by his superiors for permitting him to leave. Convicted of the murder despite the girl's confession, Garfield is executed.

The screenplay by Seton I. Miller, Brown Holmes and Courtney Terrett, one of the several taken from the non-fiction book of Warden Lewis E. Lawes' "20,000 Years in Sing Sing," is a frank play on the emotions. Anatole Litvak directed the Samuel Bischoff production.

Running time, 76 minutes. "G."*

VANCE KING

"G" denotes general classification.

Ontario Corporation Levy Hits Industry

TORONTO, Feb. 26.—Incorporated film companies, including theatres, exchanges and equipment firms, are hit by heavily increased taxation in the adoption of the Corporation Tax Act of 1940 by the Ontario legislature. The levy on business incomes has been raised from two per cent to five per cent, an advance of 150 per cent, which has been made retroactive to Jan. 31, 1939, more than one year ago.

Profits of companies therefore will come under the increased Provincial taxation for 11 months of the past calendar year as well as for the current 12 months. The bill when first introduced provided for a taxation increase which would have covered company income for both 1938 and 1939 but, in the face of strong objection, it was amended to include only 11 months of last year, or practically an even 12 months prior to the introduction of the measure. The profits tax increase was largely devised as a substitute for the proposed provincial amusement tax, which netted the Government $2,000,000 in a year before it was abolished in 1937.

Bestor Band, 'Hell' $8,500, Kansas City

KANSAS CITY, Feb. 26.—Don Bestor and his band, with "Green Hell" at the Tower took $8,500. Big money went to "Gone With the Wind" at Loew's Midland for the fourth consecutive week, $15,700.

Estimated takings for the week ending Feb. 20-22:

"I Take This Woman" (M-G-M)
ESQUIRE—(800) (25c-40c) 8 days. Gross: $3,100. (Average, $2,700)

"Gone With the Wind" (M-G-M)
MIDLAND—(4,000) (75c-$1.12) 6 days, 4th week. Gross: $15,700.

"Brother Rat and a Baby" (W.B.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $5.500. (Average, $7,000)

"Castle on the Hudson" (W.B.)
"Married and in Love" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $5,600. (Average, $5,000)

"Green Hell" (20th-Fox)
TOWER—(2,200) (25c) 7 days. Stage: Don Bestor & Band, featuring Penny Lee and Johnny Russell. Gross: $8,500. (Average, $6,000)

"I Take This Woman" (M-G-M)
UPTOWN—(2,000) (25c-40c) 8 days. Gross: $4,200. (Average, $3,800)

M-G-M in Talent Search

Bill Grady of M-G-M's talent department has arrived in Jacksonville, Fla., on a talent search for candidates for the boy role of Jody for "The Yearling."

Change Comedy Title

HOLLYWOOD, Feb. 26. — "Saps at Sea" is the final title for the Hal Roach film starring Laurel and Hardy, previously titled "Crackpots." United Artists will release.

Dispute in England Over Short Subjects

LONDON, Feb. 26.—Fears that the British quota market on short subjects will be flooded with Government-sponsored subjects have been expressed in several quarters.

The Films Council has appointed a new committee to study the short subject situation. Two opposing sections among short subject producers already have completed studies of the situation. One produces inexpensive so-called entertainment shorts, and the other mostly documentary subjects. The latter group is demanding cost and quality safeguards for their product in quota regulations.

'Wind' with $7,000 Is New Haven Best

NEW HAVEN, Feb. 26.—"Gone With the Wind" at the College in the fourth week drew $7,000. "Broadway Melody of 1940" and "Reno" at the Loew-Poli took $9,800.

"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (75c-$1.10) 7 days, 4th week. Gross: $7,000. (Average, $2,700)

"Broadway Melody of 1946" (M-G-M)
"Reno" (RKO)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $9,800. (Average, $8,000)

"His Girl Friday" (Col.)
"Music In My Heart" (Col.)
LOEW-POLI-BIJOU—(1,482) (35c-50c) 7 days, 2nd week. Gross: $3,100. (Average, $2,500)

"He Married His Wife" (20th-Fox)
"Bad Little Angel" (M-G-M)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $4,000. (Average, $4,000)

"Vigil in the Night" (RKO)
"Two Thoroughbreds" (RKO)
ROGER SHERMAN — (2,200) (35c-50c) 7 days. Gross: $5,500. (Average, $5,000)

VILLAGE BARN DANCE
"Well, here we are in the old village barn again, ready for another program of fun, frolic, friendly philosophy, and fancy music. Let's start things off with a good, old village barn dance."
RICHARD CROMWELL · DORIS DAY · GEORGE BARBIER and
RADIO'S BRIGHTEST STARS · A Republic Picture

'Wind' Holds Pace in Loop With $62,800

CHICAGO, Feb. 26.—"Gone With the Wind" in the fourth week drew $62,800 at the Oriental and Woods. The weather was unsettled.

Estimated takings for the week ending Feb. 21-24:

"The Light that Failed" (Para.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 2nd week. Gross: $7,200. (Average, $6,000)

"His Girl Friday" (Col.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Jane Withers with revue. Gross: $32,600. (Average, $32,000)

"Little Old New York" (20th-Fox)
GARRICK — (1,000) (35c-55c-75c) 7 days. Louis-Godoy Fight Films. Gross: $4,600. (Average $5,000)

"Gone With the Wind" (M-G-M)
ORIENTAL — (3,200) (75c-$1.10-$1.50) 7 days, 4th week. 3 shows daily. Gross: $46,800. (Average, $13,000)

"Vigil in the Night" (RKO)
"Marines Fly High" (RKO)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $13,000. (Average, $12,000)

"Geronimo" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $10,200. (Average, $11,000)

"Remember" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-50c) 7 days. Stage: Dave Apollon and Revue. Gross: $15,600. (Average, $12,000)

"Balalaika" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $8,800. (Average, $14,000)

"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days, 4th week. 2 shows daily. Gross: $16,000

Cincinnati Gives "Melody" $14,000

CINCINNATI, Feb. 26.—"Broadway Melody of 1940" took $14,000 at the RKO Albee, and "Gone With the Wind" pulled $12,500 in its ninth and final week at the RKO Capitol.

Estimated takings for the week ending Feb. 21-24:

"Broadway Melody of 1940" (M-G-M)
RKO ALBEE—(2,300) (35c-42c) 7 days. Gross: $14,000. (Average, $12,000)

"The Light that Failed" (Para.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $8,700. (Average, $10,000)

"Our Neighbors, the Carters" (Para.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Johnny Davis' orchestra and revue. Gross: $9,800. (Average, $10,000)

"Gone With the Wind" (M-G-M)
RKO CAPITOL — (2,000) (75c-$1-$1.50) 7 days, 9th week. Gross: $12,500. (Average, at 35c-42c, $6,500)

"Charlie McCarthy, Detective" (Univ.)
"Oh, Johnnny, How You Can Love" (Univ.)
RKO LYRIC — (1,400) (25c-40c) 7 days. Gross: $3,300. (Average, $5,000)

"Thou Shalt Not Kill" (Rep.)
Louis-Godoy Fight Pictures (Mono.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,600. (Average, $1,500)

"Ride 'Em, Cowboy" (W.B.)
"Heroes in Blue" (Mono.)
Louis-Godoy Fight Pictures (Mono.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $1,200. (Average, $900)

"The Fighting 69th" (W.B.)
KEITH'S—(1,500) (30c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)

Musicians End Strike

PHILADELPHIA, Feb. 26.—Local 77, of the American Federation of Musicians, yielded in its three-month-old strike against the independent Carman Theatre, signing an agreement with George Graves, Carman manager, returning musicians to the theatre on March 1. In returning vaudeville to the house, the musicians' union is allowing the Carman to give the orchestra a 12-week "vacation" between now and the end of the year, as against the straight 52-week contract upon which the union originally insisted.

Hollywood Review

"Westbound Stage"

(Monogram)

HOLLYWOOD, Feb. 26.—Tightly spun and presented against magnificent outdoor backgrounds, the story of "Westbound Stage" provides every opportunity for its star, Tex Ritter, who takes full advantage of those opportunities in the departments of riding and singing.

In preventing a stagecoach shipment of money from being stolen, and in the preliminaries leading up to the attempt, action is stressed and kept at a fast pace throughout.

Spencer Bennett's direction, in combination with the screenplay of Robert Emmett, have made of the film an outstanding example of western material, with no lags or letdowns. Produced by Edward Finney, the picture's cast, besides Ritter, includes Nelson McDowell, Muriel Evans, Nolan Willis, Steve Clark and Tom London.

Running time, 54 minutes. "G."*

WALTER SELDEN

"G" denotes general classification.

'Wind' Holds Seattle Lead With $23,000

SEATTLE, Feb. 26.—"Gone With the Wind" drew $23,000 at the Fifth Avenue in the fourth week. "His Girl Friday" drew $6,100 in the third week at the Liberty. The weather was fair and cool.

Estimated takings for the week ending Feb. 23:

"The Light that Failed" (Para.)
"The Flying Deuces" (RKO)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)

"Gone With the Wind" (M-G-M)
FIFTH AVENUE—(2,500) (75c-$1.15-$1.50) 7 days, 4th week. Gross: $23,000. (Average, $7,000)

"His Girl Friday" (Col.)
LIBERTY — (1,800) (25c-40c-55c) 7 days, 3rd week. Gross: $6,100. (Average, $5,000)

"I Take This Woman" (M-G-M)
"City of Chance" (20th-Fox)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,200. (Average, $4,000)

"Little Old New York" (20th-Fox)
"The Big Guy" (Univ.)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,400. (Average, $6,000)

"Castle on the Hudson" (W.B.)
PALOMAR—(1,500) (20c-25c-40c) 7 days. Vaudeville headed by Katherine Ellis. Gross: $5,800. (Average, $5,000)

"My Little Chickadee" (Univ.)
"Married and in Love" (RKO)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $7,300. (Average, $6,000)

'Wind' at $29,500 Leads in Montreal

MONTREAL, Feb. 26.—"Gone With the Wind" grossed $29,500 for its opening week at Loew's at $1.13 top with all seats reserved.

Estimated takings for the week ending Feb. 23:

"Remember the Night" (Para.)
"Adventure in Diamonds" (Para.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $5,200. (Average, $8,000)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.13) 7 days. Gross: $29,500. (Average, $8,000)

"Eternally Yours" (U.A.)
"A Chump at Oxford" (U. A.)
ORPHEUM — (919) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $5,000)

"The Shop Around the Corner" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $5,900. (Average, $10,000)

"A Girl Must Live" (British)
"The Big Guy" (Univ.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,400. (Average, $5,500)

'Wind' Pulls Big $55,000 In Twin Cities

MINNEAPOLIS, Feb. 26. — "Gone With the Wind" led in its third week in the twin cities, taking $35,000 at the Orpheum here and $22,000 at the Orpheum in St. Paul.

Estimated takings for the week ending Feb. 23:

Minneapolis:

"Little Old New York" (20th-Fox)
STATE—(2,300) (25c-40c) 7 days. Gross: $7,800. (Average, $4,000)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,900) (75c-$1.10) 7 days, 3rd week. Gross: $35,000. (Average, $4,400)

"Light that Failed" (Para.)
CENTURY — (1,000) (25c-40c) 7 days. Gross: $7,200. (Average, $4,000)

"Invisible Stripes" (W.B.)
GOPHER — (900) (25c) 7 days. Gross: $3,400. (Average, $2,500)

"Torpedoed" (Film Alliance)
ESQUIRE — (25c-40c) 10 days. Gross: $1,600.

"Destry Rides Again" (Col.)
WORLD—(400) (25c-40c) 7 days, 4th week. Gross: $900. (Average, $1,000)

"High School" (20th-Fox)
"Sante Fe Marshal" (Para.)
ASTER — (900) (15c-25c) 5 days. Gross: $2,100. (Average, $1,500)

St. Paul:

"Light that Failed" (Para.)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,600. (Average, $4,400)

"Gone With the Wind" (M-G-M)
ORPHEUM—(2,000) (75c-$1.10) 3rd week. Gross: $22,000. (Average, $3,200)

"Doctor X" (W.B.)
RIVIERA — (1,000) (25c) 7 days. Gross: $2,500. (Average, $1,800)

"British Intelligence" (W.B.)
"Escape to Paradise" (RKO)
TOWER — (1,000) (25c) 7 days. Gross: $2,300. (Average, $1,600)

"Story of a Cheat" (Agate-Tattler)
WORLD—(400) (25c-40c) 7 days. Gross: $1,100. (Average, $1,000)

Revoke Seattle License

SEATTLE, Feb. 26.—The City Council license committee, headed by Councilman Robert H. Harlin, has requested the Corporation Counsel here to draw an ordinance revoking the license of the Rialto, burlesque and third-run film house. The request followed a report of the Board of Theatre Censors, alleging that the stage shows at the Rialto were indecent.

Frisco Gives 'Wind' Good $30,000 Lead

SAN FRANCISCO, Feb. 26.—"Gone With the Wind" was outstanding with $30,000 in the fourth week at the Warfield. "Green Hell" drew $15,000 at the Golden Gate.

Estimated takings for the week ending Feb. 20-23:

"Green Hell" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $15,000. (Average, $15,000)

"His Girl Friday" (Col.)
"Little Accident" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 3rd week. Gross: $8,000. (Average, $8,000)

"The Man from Dakota" (M-G-M)
"Congo Maisie" (M-G-M)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $14,500. (Average, $16,000)

"He Married His Wife" (20th-Fox)
"High School" (20th-Fox)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $11,000. (Average, $11,500)

"Of Mice and Men" (U.A.)
UNITED ARTISTS — (1,200) (15c-35c-40c-55c) 7 days, 4th week. Gross: $4,800. Average, $8,000)

"Broadway Melody of 1940" (M-G-M)
"The Man Who Wouldn't Talk" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)

"Gone With the Wind" (M-G-M)
WARFIELD — (2,680) (75c-$1.10) 7 days, 4th week. Gross: $30,000. (Average, $12,000)

"Harvest" (Foreign)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,900. (Average, $1,000)

"Rasputin" (Concord)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $800. (Average, $1,000)

'Wind,' 'Chickadee' Lead Indianapolis

INDIANAPOLIS, Feb. 26. — "Gone With the Wind" finished strong with $15,000 in its fourth week at Loew's. "My Little Chickadee" and "Honeymoon Deferred" did $8,000 at the Indiana.

Estimated takings for the week ending Feb. 23:

"Little Old New York" (20th-Fox)
"Young As You Feel" (20th-Fox)
APOLLO — (1,100) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $2,500)

"Swiss Family Robinson" (RKO)
"Invisible Stripes" (W.B.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $5,500. (Average, $6,000)

"My Little Chickadee" (Univ.)
"Honeymoon Deferred" (Univ.)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $8,000. (Average, $5,000)

"Gone With the Wind" (M-G-M)
LOEW'S — (2,800) (75c-$1.10) 7 days, 4th week. Gross: $15,000. (Average, $7,000)

"Wolf of New York" (Rep.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Benny Goodman band. Gross: $10,500. (Average, $8,000)

'Friday' and 'Wind' St. Louis Leaders

ST. LOUIS, Feb. 26.—"His Girl Friday" grossed $5,500 in its third week at the Missouri, as "Gone With the Wind," in its fourth week, maintained its record-breaking pace with $44,000.

Estimated takings for the week ending Feb. 22:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $44,000. (Average, 25c-40c-55c scale, $13,000)

"Castle on the Hudson" (W.B.)
"Marines Fly High" (RKO)
FOX—(5,038) (25c-40c-55c) 6 days. Gross: $10,000. (Average, 7 days, $11,000)

"Little Old New York" (20th-Fox)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $11,000. (Average, $11,500)

"His Girl Friday" (Col.)
"My Little Chickadee" (Para.)
MISSOURI — (3,514) (25c-40c-55c) 7 days, 3rd week. Gross: $5,500. (Average, $4,000)

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APRIL 18-19-20_1940

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COME! Enjoy the frivolities of the Pioneer Days Celebration with the Southwest's far-famed Peace Officers, Rangers, Cowboys, Indian Chiefs.

RIDE in the famous Deadwood Stage Coaches, the Pioneer Prairie Schooners, on the backs of snorting, bucking Texas Bronchos!

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ALL ROADS-AIRWAYS AND RAILWAYS LEAD to DALLAS in APRIL

Short Subject Reviews

"The Paper Hanger"

(Essanay-King of Comedy)

A two-reel revival of Charlie Chaplin's film "Work," this release has added music and sound effects. In addition, by a process of printing alternate frames twice, the speed has been raised from the silent standard of 60 feet per minute to the sound standard of 90 feet per minute. This process highlights some of the pantomime but slows the pace in other sequences. The print is a good one. Should please those who enjoy the Chaplin revivals. Running time, 19 mins.

"Little Lambkin"

(Fleischer-Paramount)

When the baby's parents move from the country to a modern and scientific city apartment, he changes their minds by disturbing all the gadgets and subjecting them to a severe beating. It is a fairly amusing cartoon in color. Running time, 7 mins.

Legion Approves 9 Of 12 New Pictures

National Legion of Decency for the current week has approved nine of 12 new pictures, classing seven as unobjectionable for general patronage, two as unobjectionable for adults and three as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Caballo a Caballo," "Five Little Peppers at Home," "The Cheyenne Kid," "Little Orvie," "Mexico Lindo," "Rhythm of the Rio Grande," "Young Tom Edison." Class A-2, Unobjectionable for Adults—"Dr. Ehrlich's Magic Bullet," "Women Without Names." Class B, Objectionable in Part—"The Face Behind the Scar," "My Little Chickadee," "Secrets of a Model."

Academy Winners On Radio Thursday

HOLLYWOOD, Feb. 26.—The J. Walter Thompson Agency today temporarily postponed plans for having the Academy Award winners on next Monday's Lux program until Thursday, night of the Awards dinner.

David O. Selznick, according to the agency, already has given permission to use an adaptation of "Gone With the Wind" for the program should the picture win the production trophy. This would mark the first broadcast of the Margaret Mitchell novel.

Under the proposed deal, the stars and Selznick would give their air salaries to the Academy.

Theatre Drops 'Gold'

KENOSHA, WIS., Feb. 26.—Charged with violating the lottery law with its "Pot of Gold" program each week at the Kenosha Theatre here, the house voluntarily has withdrawn the game. The charge filed against the house operated by Standard Theatres was withdrawn by District Attorney John P. McEvoy after the theatre agreed to withdraw the stunt.

Hollywood Reviews

"Road to Singapore"

(Paramount)

HOLLYWOOD, Feb. 26.—Exhibitors will find in Paramount's "Road to Singapore" a notable piece of film merchandise which combines the talents of Bing Crosby, Bob Hope and Dorothy Lamour in as blithe a romantic comedy with music as has appeared on the screen in a long while. Producer Harlan Thompson and director Victor Schertzinger have a "natural" in the teaming of Hope and Crosby, popular on the radio, on the screen and otherwise, as two youthful merchant marinemen in search of adventure who find love in a South Seas island.

Seldom have preview audiences registered such whole hearted approval of a picture as the one which witnessed the screening of this. The screenplay of Don Hartman and Frank Butler, from a story by Harry Hervey, is an admirable framework, studded with sparkling dialogue.

Supporting the trio are Jerry Colonna, of radio fame, Charles Coburn, Judith Barrett, Anthony Quinn and others.

Five songs—"Too Romantic," "Sweet Potato Piper," "Kaigoon," with music and lyrics by James V. Monaco and Johnny Burke, and "The Moon and the Willow Tree" and "Captain Custard," with music and lyrics by Schertzinger and Burke—are sung by the principals and a native chorus. "Too Romantic" and "Sweet Potato Piper" appear to be the best bets for popularity.

Crosby and Hope run away from the former's home following a disastrous society party at which is announced the betrothal of Crosby, scion of a shipping family, to a wealthy debutante, and flee to a South Sea Island, vowing to ignore women. They rescue a dancing girl from her brutal partner, and she moves into their house to work for them. Crosby's father arrives to get him, and the girl, played by Miss Lamour, with whom both he and Hope have fallen in love, sends him back by the expedient of saying that she is in love with Hope. However Crosby escapes and returns to a carefree life with the girl and Hope.

Running time, 85 minutes. "G."* VANCE KING

"The Ghost Comes Home"

(Metro-Goldwyn-Mayer)

HOLLYWOOD, Feb. 26.—This is not a spook picture, as the title might suggest, the word "ghost" referring to a character who returns to his family after they have collected and spent life insurance money in the belief he has perished at sea. This situation is used as the principal source of comedy in a picture compounded solely for amusement purposes. The film was mildly received at the Hollywood preview.

Frank Morgan, Billie Burke, Ann Rutherford, John Sheldon, Reginald Owen, Donald Meek, Nat Pendleton, Frank Alvertson, Harold Huber and Hobart Cavanaugh are the players principally engaged. Direction by William Thiele accentuates action and dialogue, striving always for humorous effects. Richard Maibaum and Harry Ruskin wrote the screenplay from a play by Georg Kaiser. It's an Albert E. Levoy production.

Morgan portrays a well meaning individual dominated by selfish relatives who, returning after they have received and expended insurance money in the belief he is dead, imposes his will upon them under implied threat to expose them to the insurance company. After amusing complications, he tells the true story of his absence and clears up prevailing misunderstandings.

Running time, 77 minutes. "G"* ROSCOE WILLIAMS

**"G" denotes general classification.*

Kelly in Pennsylvania

PHILADELPHIA, Feb. 26.—E. Thornton Kelly, formerly executive secretary of New York Allied, is at present with Allied of Eastern Pennsylvania as field representative in a membership drive. He recently completed a membership campaign for Independent Exhibitors of New England in Connecticut.

Theatre Sues Union

ST. LOUIS, Feb. 26.—An application by the Eden Theatre Co. lessee of the Fox, to sue the receivers of the operators' union, Local 143, for $75,000 allegedly lost as a result of picketing, has been taken under advisement by Circuit Judge Oakley.

Overrule Nick Appeal

ST. LOUIS, Feb. 26.—The St. Louis Court of Appeals has overruled without comment the motion by John P. Nick, ousted head of the operators' union, and Clyde A. Weston, former business agent, for a rehearing of their appeal from a Circuit Court order voiding their control of the union.

Goldstein Suit Settled

The suit of Edward Goldstein for $8,332 against the Schine Theatre Co. was ended by a settlement for the full amount. The action sought damages for alleged failure by the circuit to pay the plaintiff for using Bank Night at Schine houses.

Radio Brevities

A FOUR-STATION hookup of frequency modulation stations without the use of telephone wires will be demonstrated for the press by FM Broadcasters, Inc., organization of stations interested in FM, Thursday evening at the Ritz Towers.

The program will originate from W2XAG, Yonkers, and wil[illegible] to W2XMN, Alpine, thence to W1XPW, Hartford, and finally to W1XOJ, Paxton. FM receivers will be installed at the hotel and engineers will explain the technical details.

Personalities in the News

Bertha Brainard, NBC commercial program manager, is expected back in New York on March 4 after a trip to Hollywood. . . . Ernest M. Werner, formerly with Young & Rubicam, has been placed in charge of all Columbia Record catalogues by Patrick Dolan, director of sales promotion. . . . James M. C. Pease has joined the NBC continuity staff in Chicago. Pease was formerly advertising promotion manager of the Chicago Evening American. . . . *Brian Donlevy, Patricia Morrison and the piano team of Vronsky & Babin will be Bing Crosby's guests on the "Kraft Music Hall" Thursday evening. . . . Alfred H. Morton, NBC vice-president in charge of television, will speak on "Radio and Television" on March 7 before the Illinois Federation of Women's Clubs in Chicago.*

Broadcasts for Troops

British Broadcasting Corp. started a special daily 12-hour broadcast for troops in France and England last week. The new service consists mainly of lighter items such as music, dance bands, variety and organ recitals.

Program News

CBS will start a new musical show Saturday afternoon with Ed Drew and his orchestra. Called "Time to Take It Easy," the program will originate from WPRO, Providence, each Saturday at 1:30 P. M. . . . F. W. Fitch Co. has added two more stations for its "Fitch Bandwagon" show, bringing the total to 76 NBC-Red stations. . . . WOR will start its broadcasts of pre-season Dodger baseball games on March 8. Red Barber and Al Helfer will cover the 34 exhibition games.

WJSV Week March 4-9

March 4 to 9 has been designated "WJSV Week" by the District of Columbia Board of Commissioners in celebration of the fact that the station boosts its power from 10,000 to 50,000 watts on March 4. A. D. Willard, Jr., general manager, who was the first to speak over the station when CBS took it over in 1932, will make the first speech after the power is increased.

Propaganda Broadcasts

Canadian stations carried the heaviest load of propaganda in many weeks over the past weekend. On Friday, Winston Churchill and the officers commanding H.M.S. *Exeter* and *Ajax* spoke, with the City Improvement League and Municipal Service Bureau sponsoring "The Story of Neville Chamberlain." On Saturday, Prime Minister Chamberlain spoke on the progress of the war.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 41 NEW YORK, U. S. A., WEDNESDAY, FEBRUARY 28, 1940 TEN CENTS

Chicago Tries Singles, Finds Support Weak

B-K, Independents Report Duals Gross Better

By WILLIAM F. CROUCH

CHICAGO, Feb. 27.—Single features made their bow for the first time in years in 14 Chicago theatres last weekend but the results were not too flattering.

Three of the theatres were Balaban & Katz houses and were playing "Mr. Smith Goes to Washington." Business in these three—the Berwyn, La Grange and Central Park—was good but not strong enough to warrant a continuation of the single feature plan, circuit executives stated.

The other 11 theatres were independently owned and operated by members of Allied Theatres of Illinois. They had a variety of film offerings and business was off considerably, according to reports. However, the independent theatremen said that they would continue to operate on the single feature plan as long as the competing B. & K. theatres did.

B. & K. does not plan to keep the single feature policy in operation, it was learned. The engagement over the past weekend was an experiment

(*Continued on page 6*)

'Wind' Deal Closed By Saenger Circuit

Thomas J. Connors, M-G-M Eastern and Southern division manager, has set a deal with E. V. Richards for "Gone With the Wind" to play the entire Saenger circuit of about 70 theatres in the South.

Connors is completing a similar deal with M. A. Lightman for the Malco circuit in several Southern states.

Negotiations with the two circuits

(*Continued on page 8*)

Bioff in Hollywood, Coast Reports Say

HOLLYWOOD, Feb. 27.—Discussions between studio unions and producers over revocation of the 10 per cent wage increase were at a standstill today as unconfirmed reports continued that William Bioff, I.A.T.S.E. leader, was in town. No date has been set for the resumption of talks. It is reported that Bioff flew here from Chicago, where he will have a hearing March 6 on a writ of habeas corpus. Union officials professed no knowledge of Bioff's present whereabouts.

Screen Directors Fight Neely Bill

Hollywood, Feb. 27.—Passage of the Neely bill will be strenuously opposed by the Screen Directors Guild. Formal action was taken by Guild directors last night.

Opposition to the bill, it was explained, is based on the synopsis and blind selling clauses, and not on the anti-booking phase of the measure.

The Guild will send two representatives to the House committee hearing on the Neely bill. They will be selected at the March 11 meeting of the entire Guild membership.

Conciliation Boards Enjoy Strong Success in Canada

Revival of U.S. Campaign For Similar Machinery Considered Probable

Local conciliation boards in Ontario and Nova Scotia, the first to be established in the industry, have proved so successful in adjusting trade practice complaints within the two provinces that they no longer are considered to be "experimental" agencies but are assuming a permanent industry character, according to the first report on the operations of the boards completed recently by the Canadian film industry.

The report is viewed in New York as likely to become an incentive for exhibitor groups in the United States to renew their campaign for the establishment of conciliation machinery here, entirely independent of a trade practice code as they are in Canada.

The M.P.T.O.A. actively sponsored the setting up of conciliation boards, in preference to arbitration boards, during the 1937-'39 exhibitor-distributor negotiations on a fair trade practice code for the industry. However, arbitration was preferred by Allied

(*Continued on page 7*)

Film Writers Deny Dies' 'Red' Charges

Hollywood, Feb. 27.—Refutation of Congressman Dies' accusation that Communism flourishes in Hollywood was ordered by the Screen Writers Guild board of directors last night. A statement embodying this refutation will be drafted and sent to the Speaker of the House of Representatives.

Korda, Ill, Postpones His California Trip

Illness has compelled Alexander Korda, United Artists producer, to postpone indefinitely his trip to California. Emanuel Silverstone, his business representative and member of the U.A. Board, will represent Korda in the producer discussions, now in progress in Hollywood, with Maurice Silverstone and Harry Gold. The younger Silverstone leaves today for the Coast by train. He will probably be there for two weeks.

Majors Ban Shorts Forcing, Score Charge, ITO Reveals

COLUMBUS, O., Feb. 27.—All major distributors have granted exhibitors the right to buy features without shorts and newsreels and have eliminated score charges, according to replies to a questionnaire issued by the I.T.O. of Ohio.

Distribution policies of individual companies will be discussed at the organization's annual convention, which starts here tomorrow. The questionnaire was circulated as a basis for the discussion.

The eight major companies also detailed their cancellation policies, hinging on the purchase of the entire output, as follows:

RKO: Exhibition contract carries a 10 per cent cancellation right.

Paramount: 20 per cent cancellation when rentals average less than $100 per picture; 15 per cent for those whose average is $100 to $250; 10 per cent for those whose average is more than $250.

United Artists: Product of each producer is sold individually.

Warners: 20 per cent cancellation if average price is not more than

(*Continued on page 2*)

Swedish Order 'Freezes' U.S. Industry Cash

All Withdrawals Stopped From Strong Market

Complete cessation of currency withdrawals from Sweden has been ordered by the government following that nation's abandonment of the gold standard early this week, home office foreign departments were advised yesterday.

Details of the order have not been received here yet but while it remains in force, foreign distribution authorities say, it means the complete stoppage of revenue from this highly important European market.

Second Biggest Foreign Market

Sweden is ranked by most film distributors as the second most important European market for American films, being exceeded only by Britain. Some companies place it second or third among world markets, equalling or surpassing, in these instances, Australia or Canada.

Foreign headquarters of the M.P.P.D.A. said that no report had been received from Stockholm yet but that it was hoped that industry representatives there would make representations

(*Continued on page 6*)

Kent Doubts Studios Banning Stars on Air

Appearance of film stars on the radio must be governed by individual company policy and no industry agreement on the matter is feasible as it might be construed as illegal, Sidney R. Kent, president of 20th Century-Fox, has advised Abram F. Myers, chairman of the board of Allied States.

The policy of 20th Century-Fox is to bar its stars from radio appearances except in exceptional cases in which broadcasts would help the promotion of pictures, Kent states in his letter.

Kent wrote Myers after receiving copies of resolutions adopted at the annual meeting of national Allied directors in Washington last month. All company heads were similarly asked for their expression.

With regard to other resolutions adopted, Kent said in his letter that he is and always has been in favor of arbitration of industry disputes and that he is opposed to the distribution of 16 mm. versions of films.

Purely Personal

WALTER E. GREEN, president of National Theatre Supply Co., has left for a three-week visit to company branches across the country, including a stop at Hollywood.

•

SCOOP CONLON, publicity representative for talent, has arrived from the Coast for a week's visit. He accompanied GEORGE STEVENS, RKO director, and GREGORY LACAVA. STEVENS returned yesterday to the studio. LACAVA will remain until March 15.

•

A. A. WARD, Altec inspector in New Jersey; E. J. TOWNSEND, inspector in New York, and M. O. OVERMIRE, inspector in Seattle, have all undergone appendicitis operations.

•

ROBERT KILGORE of the Bedford Theatre is pinch-hitting for BERNIE ZELENKO, manager of Loew's Valencia, who has been ill five weeks.

•

WILLIAM F. RODGERS, M-G-M general sales manager, arrives in Chicago today from the Coast en route to New York.

•

MORRIS A. GIBBONS, managing director of Bermuda National Theatres, is in New York from Hamilton for a two weeks' visit.

•

DARRYL F. ZANUCK leaves Hollywood over the week-end for a stay of approximately a month at Sun Valley.

•

MURRAY MILLER, exhibitor of Passaic, N. J., is visiting in Detroit.

•

GENE MURPHY of Loew's publicity staff has returned from Miami.

NATE J. BLUMBERG, Universal president, delayed his departure from Miami one day. He will arrive in New York this evening.

•

HARRY BRANDT, WILLIAM ORR, ART SCHMIDT, SIDNEY PHILLIPS, MAURICE BERGMAN, SAM SHAIN, BOB WEITMAN, JOHN ROYAL, RUSSELL HOLMAN, ERNO RAPEE, TOM ROBINSON, OWEN DAVIS, FRANK McCARTHY and SI FABIAN lunching at Nick's Hunting Room in the Astor yesterday.

•

STANTON GRIFFIS, AUSTIN KEOUGH, AL WILKIE, RODNEY BUSH, RICHARD RODGERS, DWIGHT WIMAN, HARRY OSHRIN and JOHN GARFIELD at Sardi's for lunch yesterday.

•

CLIFF WORK arrived at the studio yesterday following his return from New York.

•

E. K. (TED) O'SHEA, M-G-M Eastern district manager is in Miami.

'My Son' Preview, Reception Tuesday

A private preview of Edward Small's United Artists production, "My Son, My Son!" will be held in the studio of Radio City Music Hall next Tuesday evening. Guests of honor at a reception following the screening will be Madeleine Carroll, Brian Aherne and Henry Hull, three of the film's stars.

Miss Carroll is scheduled to arrive tomorrow from a European visit on the *Conte di Savoia*. Aherne will return from a Southern vacation in time to attend and Hull has come East from Hollywood.

OVERNIGHT TO CALIFORNIA
VIA

● Over the fields of Dixie, over the sunny plains and golden deserts of the Southwest, four American Flagships every day whisk travelers to their destinations in luxurious ease and comfort. Giant Skysleepers . . . complimentary meals . . . stewardess service. Make your next trip to the West via this nature-favored route. For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices, 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Film-Making Speed

Mexico City, Feb. 27.—Mexican producers and directors are going in for speed. Raul de Anda completed "El Charro Negro" ("The Black Cowboy") of 325 scenes and 30,000 feet in 11 consecutive working days.

Majors Abandon Forcing of Shorts

(*Continued from page 1*)

$100; 10 per cent if average exceeds $100.

Columbia: "Our sales force has been informed that they are to deal with each account, where we sell 100 per cent of our product, so that the individual theatre will be thoroughly satisfied with the privileges granted him."

Universal: 10, 15 or 20 per cent cancellation, scaled according to film rentals.

M-G-M: 20 per cent elimination where average rental is $100 or less; 15 per cent where average rental exceeds $100 up to $250, and 10 per cent where average is more than $250.

20th Century-Fox: "If any exhibitor desires it he may have the cancellation privilege as set forth in the proposed trade practice code of last Spring."

H. T. Edwards Head Of New 16mm. Firm

Herbert T. Edwards, former president of Commonwealth Pictures Corp., 16mm. film distributor, has been named head of the newly organized Non-Theatrical Pictures Corp.

The new company has purchased 16mm. rights to 30 Hollywood features and a large number of short subjects, and negotiations are under way for additional films. All product will be distributed outside of regular theatrical channels, according to the new company.

Stahl Stays in City To View New Plays

John M. Stahl has postponed his departure for the Coast until the end of next week in order to see new Broadway plays, which he is considering for purchase and future production under his imminent United Artists releasing agreement.

As a result of his change of plans, the United Artists-Stahl deal may be closed here following the return of Maurice Silverstone, United Artists chief executive, from the Coast next week. Originally, it had been expected the deal would be closed in Hollywood prior to Silverstone's departure.

White Joins Terry-Toons

Gordon White, former advertising and publicity director for Educational Pictures and Grand National, has joined Terry-Toons. He is in charge of publicity at the company's New Rochelle office and, in addition, will do special work in association with the story department. Terry-Toons distribution is handled by 20th Century-Fox.

Newsreel Parade

Events pertinent to the wars in Europe again dominate the contents of the newsreels. Their contents follow:

MOVIETONE NEWS, No. 49—British cruiser returns to port. U. S. bombers arrive in England. Tommies arrive in France. Artillery and patrol activity on Western Front. Allied generals in Egypt. Prince Olaf inspects neutrality patr[illegible] Sweden sends ambulance to Finland. [illegible] to in Finland. Rodeo in Arizona. J[illegible] nominated as Louisiana Governor. Outdoor painting in California. Test new bomber and observation plane. A. A. U. meet in New York. Santa Anita horse racing. Yachting.

NEWS OF THE DAY, No. 247—Western Front freezing. Allied troops in Egypt. *Ajax* returns to England. Finns hold Mannerheim Line. Long defeated for Louisiana nomination. Ice jam in Holland. Track meet in New York. Santa Anita derby.

PARAMOUNT NEWS, No 52—Observation patrol on Maginot Line. Allied convoy protects merchant ships. New stamp honors James Whitcomb Riley. New planes tested in California. Pony born in London Zoo. Celebration in Belgium. Snowstorm in England. San Antonio handicap race. A. A. U. meet in New York.

RKO PATHE NEWS, No. 64—Fire follows air raid in Helsinki. Ambassador Kennedy returns to England. New army planes in trial flights. Rodeo in Arizona. New stamp bears head of Poet Riley. A. A. U. track meet. Santa Anita horse racing.

UNIVERSAL NEWSREEL, No. 853—War in Finland. *Ajax* returns to England. Patrols on Maginot Line. Circus burns in Indiana. Observation and bombing planes tested for Army. New Venezuelan Embassy opens in Washington. Art class in California. A. A. U. championships. Santa Anita derby.

Loew and Lewin Due From Studio Today

David L. Loew and Albert Lewin, producers for United Artists, are due from the Coast by American Airlines plane today with their wives. They are seeking a young actress for the lead in their first film, "Flotsam."

While here, they also will view Clifford Odets' play, "Night Music," which they plan to film for United Artists release. Plans for the production of "Mother and Son" as well as "Flotsam," will be discussed with United Artists executives.

Johnston on Coast

W. Ray Johnston, Monogram president, arrived on the Coast today for conferences with Scott R. Dunlap, production chief, and Edward A. Golden, vice-president, concerning "Son of the Navy," one of the company's high budget films.

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DAILY
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'Raffles' Beats Boston Snow With $28,400

BOSTON, Feb. 27.—Theatre grosses sagged as Boston struggled through two severe snow storms, and Sonja Henie skated before 85,416 people in six days. Loew's State and Orpheum, with "Raffles" and "Slightly Honorable," took $28,400.

Estimated takings for the week ending Feb. 21:

"Hidden Enemy" (Mono.)
"Money to Burn" (Rep.)
"Witness Vanishes" (Univ.)
"Yukon Flight" (Mono.)
KEITH BOSTON — (3,200) (25c-35c-40c) split week. Gross, $7,800. (Average, $8,500)
"Vigil in the Night" (RKO)
"Oh, Johnny, How You Can Love" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 6 days, 2nd week. Gross: $15,000. (Average, $14,500)
"Balalaika" (M-G-M)
"Earl of Chicago" (M-G-M)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $5,500. (Average, $4,500)
"Balalaika" (M-G-M)
"Earl of Chicago" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,000)
"The Light that Failed" (Para.)
"Young As You Feel" (20th-Fox)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $14,000. (Average, $14,500)
"The Fighting 69th" (W.B.)
"High School" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $4,500. (Average, $4,000)
"Raffles" (U.A.)
"Slightly Honorable" (U.A.)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $14,500)
"Raffles" (U.A.)
"Slightly Honorable" (U.A.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $12,400. (Average, $11,000)

'Wind' Hits $28,100 To Lead Pittsburgh

PITTSBURGH, Feb. 27.—"Gone With the Wind" bounced up to $28,100 in its fourth week at the Warner.

Estimated takings for the week ending Feb. 22:

"His Girl Friday" (Col.)
ALVIN — (1,750) (25c-35c-50c) 7 days. Gross: $7,800. (Average, $7,500)
"Little Old New York" (20th-Fox)
FULTON — (1,700) (25c-40c) 5 days, 2nd week. Gross: $2,500. (Average, 7 days, $5,000)
"I Take This Woman" (M-G-M)
LOEW'S PENN — (3,400) (25c-35c-50c) 7 days. Gross: $13,000. (Average, $13,500)
"The Fighting 69th" (W.B.)
RITZ—(800) (25c-35c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)
"Of Mice and Men" (U.A.)
SENATOR—(1,750) (25c-35c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"The Light that Failed" (Para.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Benny Davis Revue, Mary Dooley, Kay Carroll, Katherine Harris, Norman Duke, 3 Chords, Marie Austen, Dennett and Dad, Catherine Harris. Gross: $13,700. (Average, $17,000)
"Gone With the Wind" (M-G-M)
WARNER—(2,000) (75c-$1.10-$1.65) 7 days, 4th week. Gross: $28,100. (Average, $5,000)

Club Party for Bien

CINCINNATI, Feb. 27.—The local Variety Club will stage a stag testimonial banquet and entertainment in the club rooms March 4, for William Bien, who is leaving for New York to assume an executive post with Advertising Accessories, Inc.

Reith CEA Speaker

LONDON, Feb. 27.—Sir John Reith will be the guest speaker at the annual dinner on March 12 of the Cinematograph Exhibitors Association.

Critics' Quotes . . .

"OF MICE AND MEN" (Roach-U.A.)

Lewis Milestone (director) has done a glorious thing with the script that once was considered a "hot potato." . . . Lon Chaney gives a performance that is destined to make motion picture history.—**Lee Mortimer, N.Y. Daily Mirror.**

A most vivid and powerful picture. . . . It is a sordid, terrible story. . . . A fascinating exposition of human nature in some of its more degraded aspects. . . . The transition to the screen has been beautifully accomplished.—**Kate Cameron, N.Y. Daily News.**

John Steinbeck's novel has been made into a powerful and terrifying film. . . . Once more Hollywood has shown nerve and imagination. . . . The somber tragedy has been given compelling and unforgettable screen outline.—**Howard Barnes, N.Y. Herald Tribune.**

"DR. EHRLICH'S MAGIC BULLET" (Warners)

It is a courageously fine thing that Warner Brothers have done. . . . The producers have given the picture their best care. . . . An important and dramatically effective story for the screen. —**Kate Cameron, N.Y. Daily News.**

The most dramatic and moving medical film I have ever seen. . . . It is an absorbing entertainment. . . . It is not only an outstanding film, but one which holds great promise for the future of the screen.—**Howard Barnes, N.Y. Herald Tribune.**

It is a splendid biography the Warners have turned out. . . . They have tempered fact enough to give their drama a cutting edge without hammering it into romantic pattern. . . . Robinson's performance is a rounded gem of portraiture. . . . A warm and sensitive life story.—**Frank Nugent, N.Y. Times.**

An absorbing biography, and the screen's first important consideration of a hitherto taboo subject: syphilis. . . . Edward G. Robinson gives an honest, unmannered characterization that ranks with the best in his career.—**Newsweek.**

"ABE LINCOLN IN ILLINOIS" (RKO)

All of the eloquence and honesty which distinguished the work on the stage have been cherished in the screen version of Robert E. Sherwood's play. . . . A profoundly stirring motion picture experience.—**Howard Barnes, N.Y. Herald Tribune.**

It's a grand picture . . . and a memorable screen biography. . . . A grave and sincere and moving and eloquent tribute to these United States and what they stand for. . . . Handsome, dignified and moving.—**Frank Nugent, N.Y. Times.**

Every bit as fine and beautiful as the Pulitzer Prize winner of last season. . . . The picture is excellently cast.—**Lee Mortimer, N.Y. Daily Mirror.**

The film production is a magnificent work and credit for its greatness must be divided among all those who had a hand in fashioning it into what it is, a picture with a heart and soul.—**Kate Cameron, N.Y. Daily News.**

This is one of the season's fine pictures. . . . Robert E. Sherwood's play has been translated to the screen in moving terms, with neither its power nor its dignity dissipated. . . . Massey's performance is clear-cut and intelligent.—**Eileen Creelman, N.Y. Sun.**

All the superlatives which were justifiably lavished on the stage production of Robert E. Sherwood's play may now justifiably be heaped upon the screen version of this memorable drama. . . . Beautifully characterized and played.—**William Boehnel, N.Y. World Telegram.**

"BROADWAY MELODY OF 1940" (M-G-M)

The best "Broadway Melody" since the first. . . . Excellent.—**Henry T. Murdock, Philadelphia Ledger.**

Animated by a generous portion of all the ingredients that go into a musical and there is more to its story than is usually to be found in the song and dance type of picture.—**Philadelphia Daily News.**

There has never been a happier "Broadway Melody" or a dancier one than the 1940 edition. . . . This ranks high among musicals, uniting Fred Astaire, Eleanor Powell and George Murphy.—**Laura Lee, Philadelphia Bulletin.**

"ROAD TO SINGAPORE" (Paramount)

With little or no story, the film is packed with laughs. . . . Turns out to be far superior to most of the garden variety filmusicals.—**Los Angeles Examiner.**

Bing Crosby and Bob Hope make an excellent team for the general merriment of most any movie fan. . . . Some goodly portions of rip-roaring, fast-action slapstick, some rib-tickling hokum, but you're still shy on the musical side of things.—**Jimmy Starr, L.A. Herald Express.**

The film is rich in comedy. . . . The results probably will be everything that a studio could ask. . . . The entertainment values run high.—**Edwin Schallert, L.A. Times.**

British Extras Sign Contract With Studios

By AUBREY FLANAGAN

LONDON, Feb. 10 (*By Mail*)—A new standard contract to govern the employment of extras in British studios has been obtained by the Film Artistes Association after negotiation with the British Film Production Association.

The agreement covers hours, wages, locations, special allowances, traveling and transport.

A steadily growing improvement in films is hailed by the Public Morality Council, English body, in its report on the year 1939.

"The sexy film has disappeared," says the Council, "and a larger proportion of films for the family are being shown. Murder dramas are decreasing to some extent and Westerns are increasingly popular."

A dividend of six per cent was paid by the London Pavilion—in the main a United Artists show house but independently owned—for 1939.

Spending about $5,000 on the process, the Ministry of Information, in October, November and December, staged film shows in Scotland for war evacuees and entertained 217,000.

The shows—mainly silent films—were given by traveling units and were made up of feature films, news and comedies.

Julius Hagen, pioneer British producer and for many years associated with the Twickenham Studios, died recently. Producer of many British films, he launched his own distributing organization four years ago, but it proved unsuccessful.

Military authorities in the Bristol area in the west of England have commissioned the loan of local picture houses for troop training purposes. The shows would be of technical films. A rental is offered.

Connecticut's Fire Rules Hit Vaudeville

NEW HAVEN, Feb. 27.—State Police have notified Connecticut exhibitors that they will not be permitted to operate stage shows of any kind unless they have fireproof proscenium construction between platform and audience, and asbestos curtains.

As a result of the ruling, Leo Bonoff has been obliged to discontinue vaudeville at Saybrook and Madison and Michael Daly at the Plainfield. About six other houses in the territory running vaudeville and amateur shows will be affected. Loew's however, will be able to continue stage shows at the older Poli houses in New Haven, Bridgeport, Meriden and Waterbury.

Quiz Short at NYU

"What's Your I. Q.?" M-G-M short, will be screened for the motion picture course conducted by Dr. Frederic M. Thrasher at New York University tomorrow night. Teams picked from faculty and students will compete in answering the questions asked by Pete Smith on the screen.

"What does BOX-OFFICE mean, papa?"
"That's easy son. It's when you've got Metro-Goldwyn-Mayer Pictures!"

CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

with

IAN HUNTER • PETER LORRE • PAUL LUKAS

Albert Dekker • J. Edward Bromberg • Eduardo Ciannelli

A FRANK BORZAGE PRODUCTION

Screen Play by Lawrence Hazard • Based on the Book "Not Too Narrow, Not Too Deep" by Richard Sale • Directed by Frank Borzage • A Metro-Goldwyn-Mayer Picture

Produced by Joseph L. Mankiewicz

Singles Unpopular In Chicago's Test

(*Continued from page* 1)

to get a line on public reaction to single features here.

John Balaban, head of the B. & K. circuit here, has left for California to spend a month at Arrowhead Springs. Balaban has been taking treatments in Rochester, Minn., at the Mayo Clinic for the past six weeks.

William G. Bishop, M-G-M exploiteer, is the latest flu victim on Film Row.

Most popular film playing in the burlesque theatres on South State St. is "This'll Make You Whistle." An English picture starring Jack Buchanan, its title for the present engagement is "Streets of Paris After Dark." Several sequences account for the picture's popularity in the burlesque houses.

Warner theatres collected $721 for the "Help Finland" fund. Reports from other theatres have not been filed as yet but it is expected that close to $5,000 was collected for the fund by Chicago theatres last week.

Earl Carroll's "Vanities" has been booked into the Erlanger for one week starting March 3.

Ampa to Hear Mayer

Arthur Mayer, managing director of the Rialto Theatre, will be one of the speakers at the Frank S. Nugent "farewell luncheon" sponsored by Ampa at Dempsey's restaurant tomorrow.

Theatre, Personnel Notes

Blake Buys Theatre

KANSAS CITY, Feb. 27.—Harry Blake, manager of the Orpheum, Joplin, Mo., for eight years, has purchased the DeRay, Joplin, from W. D. Fite, and is changing the policy from 10 and 15 cents to straight 10 cents. Ray Widders, who has been with Barbour at Springfield, Mo., the past five years, will take over management of the Orpheum and Electric in Joplin.

Named Universal Salesman

OKLAHOMA CITY, Feb. 27.—Cliff White, Jr., of the booking department of the Universal exchange here, has been appointed salesman for Universal in the western half of Oklahoma. He was succeeded at the booking position by Harold Plumlee, formerly ad sales department manager at the Paramount exchange here.

Fire Damages House

CHARLOTTE, N. C., Feb. 27.—Fire originating in the boiler room at the Colonial, North Kannapolis, caused damage estimated at $60,000 to the theatre and the entire building. House, unit of the Maurice Legrende circuit, will be rebuilt, according to Sam Trencher, manager.

Altec Closes Service Deal

Altec Service Corp. has closed a deal with Martin B. Ellis for servicing the five Ellis houses in Camden, N. J., and Philadelphia. E. O. Wilschke and Warren Conner handled the deal for Altec.

Form Pittsburgh Company

PITTSBURGH, Feb. 27.—Articles of incorporation for the Shadyside Amusement Corp. have been filed by Aaron Rosenzweig, Louis Symons and Frank C. Rugh. The Shadyside district in Pittsburgh, residential area, has no theatre now.

Dipson-Basil Build House

BUFFALO, N. Y., Feb. 27.—Dipson-Basil Theatres, Inc., plans a new theatre to replace the present Star in Tonawanda, Buffalo suburb. The new house, to cost $75,000, will seat 1,200.

Takes Kansas City House

KANSAS CITY, Feb. 27.—W. D. Fulton, who operates the Southtown and Strand, has taken over the Vogue, suburban house, which he formerly operated. George Mode is house manager.

Miami House Opens March 9

MIAMI, Feb. 27.—The Center, new Wometco circuit house seating 750, will open March 9 with Flynn Stubblefield, former manager of the Strand, as manager.

Anderson Takes Theatre

SALYERSVILLE, KY., Feb. 27.—A. A. Anderson, who operates four houses in this area, has taken over the 300-seat Star from Howard Sheldon, the only house in the town.

Momand Leases House

SHAWNEE, OKLA., Feb. 27.—A. B. Momand, owner and operator of the Odeon here, has leased the house to Jack Smith, formerly of the State, Pawhuska, Okla.

Kansas House Bought

KANSAS CITY, Feb. 27.—Earl Kerr, who operates theatres at Albany and Bethany, Mo., and in Iowa, has taken over the Sunflower at Peabody, Kan., from L. O. Ringler.

Takes Nebraska Theatre

OMAHA, Feb. 27.—Robert Jess, former manager of the Strand, Yymore, Neb., has taken over the Scribner at Scribner, Neb., formerly operated by E. H. Robertson.

Manager Transferred

OMAHA, Feb. 27.—Central States Circuit has moved Maynard Nelson, manager of the Granada at Norfolk, Neb., to the same post at the World, Kearney, Neb.

Opens Arkansas Theatre

STAMPS, Ark., Feb. 27. — Cecil Kelly has opened the New Gay here following complete renovation of the house, formerly operated by Tri-States Theatre Corp.

Rebuild House After Fire

HUNTSVILLE, Ark., Feb. 27.—Work has been started on the rebuilding of the Dixie, destroyed by fire recently. Carl Presley is owner.

Drakefield Buys Theatre

SABINA, O., Feb. 27.—D. D. Drakefield, operating the Palace, has purchased the building, heretofore leased, and will remodel it.

DRUMS OF FU MANCHU
Suggested by stories by
SAX ROHMER
with
HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
"And this time we intend to keep you with us, Fu Manchu, until you are safely in the hands of the authorities."
A Republic SERIAL IN 15 CHAPTERS

U.S. Industry Cash 'Frozen' by Sweden

(*Continued from page* 1)

to the proper authorities and that some solution might be worked out.

Whether or not American distributors will consider cessation of film shipments to Sweden while the ban on currency withdrawals is in effect is not likely to be determined until a full report of the situation has been received from industry representatives there, it was said.

Meanwhile official foreign sources reiterated recent denials that there is any likelihood at this time of a rapprochement with Italy being effected which would permit resumption of business in that country by American distributors. Reports to the contrary were branded as "false."

It was stated that the situation in Italy, insofar as American distributors are concerned, is regarded now as "more hopeless than ever."

Nazi Officials Fight 'Cavell' in Americas

Protests by German consulates and other official Reich sources against the the exhibition of "Nurse Edith Cavell" are becoming increasingly numerous in South and Central America, it was learned here yesterday.

RKO and its sales representatives in Latin America, in some instances with the aid of the State Department, have successfully opposed official bans against the picture which resulted from Nazi protests.

Recent instances cited were in Chile and Costa Rica, where the picture was banned following official German protests. As a result of American objections, the two Governments concerned agreed to review the picture and after seeing it rescinded the ban and permitted the film to be exhibited.

10,000,000 Viewed Finland Drive Film

The extent to which theatres throughout the country cooperated in the drive to aid the Finnish Relief Fund is indicated in a release on the showing of the film, "Finland Fights," shown in connection with the theatre collections. It is estimated the subject was shown to an aggregate audience of 10,000,000 persons. Six hundred prints were used.

The film was produced by the Emerson Yorke Studio, and distribution was handled by Al O. Bondy, in conjunction with Jack Connolly of the staff of Major L. E. Thompson, head of the film division.

Negotiate With Labs

Laboratory Technicians Union, Local 702, has called upon the I.A.T.S.E. for aid in negotiations with DuArt Laboratories and H. E. R. Laboratories. Negotiations are pending with Ace and Paramount News laboratories, according to *The Magazine*, official organ of the union.

Files RKO Claim

Neil P. Cullom, attorney for the U. S. National Bank of Denver, which acted as trustee for bondholders of the Denver Orpheum Co., filed a petition yesterday for a $1,500 final allowance in the RKO reorganization proceedings.

Awards Made For Mexico Film Leaders

By JAMES LOCKHART

MEXICO CITY, Feb. 27.—"La Noche de los Mayas" ("The Night of the Mayas") has been selected as the best Mexican-made film of 1939 in the first awards of the recently organized Academy of Cinematographic Arts and Sciences here.

Leading director was Fernando de Fuentes; actor, Fernando Soler; actress, Isabela Corona; supporting actress, Emma Roldan; supporting actor, Joaquin Pardave; scenarist, Fernando de Corral; adapter, Juan Bustillo Oro; cameraman, Gabriel Figueroa; sound, Roberto Rodriguez; settings, Jose Rodriguez Granada; music, Silvestre Revueltaz; producer, Gomez Muriel. Gold and silver medals and statuettes were awarded the winners.

Mexican producers and distributors are now the targets of labor demands for higher wages, shorter hours and other concessions, following a similar drive recently against American distributors here. At least three domestic companies face a shutdown unless the unions ease their demands. The producers have sought the aid of the Federal Government on the situation.

Miguel Zacarias, prominent producer, is making a national census propaganda film for the Federal Government. It is being made in Chapultepec Castle, historic residence of the presidents of Mexico.

New Jersey Allied Debates State Bills

Legislation pending in the New Jersey Legislature at Trenton was discussed yesterday at a meeting of New Jersey Allied in its Sardi Building offices.

Several labor bills and an anti-discrimination measure are in the hopper. One bill would prevent the issuance of temporary injunctions in labor disputes without a court hearing.

George Gold of Newark presided in the absence of Lee Newbury, president, who is vacationing in the South. The next meeting will be an all-day affair March 21 in Passaic, with a beefsteak dinner at the Ritz restaurant in the evening.

'Pinocchio' by Puppets

Starting Saturday, March 9, the Suzari Marionettes, world-famous family of puppeteers, will present "Pinocchio" for an extended run at the Belmont Theatre on 48th St. Arnold Van Leer is the sponsor. "Pinocchio" will be presented three times daily. A program of shorts will be included on the program.

Weyer Joins Horlacher

PHILADELPHIA, Feb. 27. — Fred Weyer, secretary of National Film Carriers, Inc., has become associated with Horlacher Film Delivery Service here in an executive capacity. He will divide his time between here and New York, where the insurance division and home office of National Carriers are located.

Conciliation Boards Enjoy Strong Success in Canada

(*Continued from page* 1)

States and the distributors. It was written into the code and died with the code when the Department of Justice and Allied refused to approve it. Allied recently renewed a plea for arbitration boards, but distributors now are "cold" to the suggestion.

The conciliation method proposed by M.P.T.O.A., however, was seized upon by the Canadian industry and was given its first trial with the establishment of a local board at Toronto in May, 1938, to hear grievances of exhibitors throughout the Province of Ontario. In April, 1939, a second local board was established at Halifax for exhibitors in Nova Scotia.

The first report on the activities of the two boards covers 30 cases, all except one of which were not settled or otherwise disposed of by the boards.

The report states that "the problems dealt with are those which cannot be made subjects of litigation in the courts, and cannot be dealt with by arbitration boards whose duties are confined wholly to interpretation of written contracts.

"They are problems of fair trade practice which usually arise from competition between theatres and distributors, or between competitive theatres, which can only be solved by a 'give and take' method."

"We commend a study of the cases handled," the report declares, "to all who are interested in this new method of solving problems on a purely friendly basis within the industry itself."

The conciliators who serve on the boards are drawn from panels nominated by exhibitor organizations and the Film Boards of Trade (distributors). Two representatives of each group serve in rotation for specified terms. Whether a conciliator is "affiliated" or "independent" is of little importance since the boards do not vote and their decisions are not enforceable. The success of their work depends entirely upon their ability to adjudicate disputes and adjust grievances by persuasion.

Complaints handled include overbuying, inability to obtain product, unfair clearance and all forms of cut-rate or "cut-throat" competition in exhibition practices, including games, giveaways, double and triple featuring and two-for-one admissions.

Of the cases handled by the Toronto board, the only one not settled involved a two-for-one complaint made by the Famous Players Canadian Paramount against the Royal George, Toronto.

In a case involving the Circle and Beverly theatres on a priority complaint no decision could be made since priority had been written into the contract involved. Another case, the Iola against the United Artists, involving a contract run, had to be referred to arbitration, since it involved contractual provisions. All other Toronto cases were settled and all cases handled by the Halifax board resulted in settlements.

Some of the settlements involved reductions of clearances by 14 days, relinquishment of some product to the complaining opposition, adjustment of unfair low admission prices, correction of unfair advertising by opposition, adjustment of priority and adjustments of different forms of cut-rate admissions.

In one case, Famous Players agreed to the reduction of clearance in all suburban runs on short clearance pictures.

55% of Canada Complaints Are Successfully Arbitrated

TORONTO, Feb. 27.—The records of the Canadian Film Boards of Trade since the inauguration of the arbitration system in 1926 show that 4,363 cases have been filed during the 14 years while the number of awards during that time by the six arbitration boards has reached a total of 2,420, or more than 55 per cent of all applications. At the same time, the number of settlements before arbitration hearings is probably in excess of one-third of all complaints and the number of cases dismissed is very small, the dismissals in recent years ranging from four to eight per year.

The peak year for claims was 1930 when 553 complaints were filed, of which 323 resulted in awards, and the volume continued heavy until 1932, with 469 cases, after which the number of applications has tapered off to an average of 230 per year.

These facts are brought out in connection with the report of the Canadian boards for 1939 in which the number of cases filed was 225, with 106 awards and 74 settlements before arbitration.

Bermuda Cuts Cash Withdrawal by 50%

Bermuda has enacted a war emergency law reducing by 50 per cent the currency withdrawals of foreign creditors, home office foreign departments were informed yesterday.

The measure is similar to that in force in Great Britain. American distributors are permitted to withdraw only 50 per cent of their revenue in Bermuda, the remaining 50 per cent being retained there by law as a "frozen" credit.

Annual business of American distributors in Bermuda is estimated at $50,000. Half of this now will be retained in Bermuda. There are eight or 10 theatres on the island, some of which operate only part time.

Segal Sues Standard

Standard Pictures Distributing Co. and George Leganas were named defendants yesterday in a $32,400 breach of employment contract suit filed by Harry Segal in N. Y. Supreme Court. Plaintiff claims that the defendant failed to carry out a contract in which Segal was allegedly hired as general sales manager for three years with a compensation of five per cent of the company's gross.

"U" Stars to Chicago

HOLLYWOOD, Feb. 27.—John Joseph, Universal's publicity and advertising director, left last night for Chicago with Bela Lugosi, Vincent Price and Margaret Lindsay for the double premiere of "House of Seven Gables" and "Black Friday" on Thursday night.

UNCENSORED BY MILITARY AUTHORITIES!
TERRIFYING!
MAGNIFICENT!
"SIEGE" should be shown on every screen in the country." Bill Boehnel, World Telegram
"The most powerful document of its kind or any other kind I have ever seen." Archer Winsten, Post
RKO-Pathe presents
SIEGE
THE ACTUAL FILMING OF THE SIEGE OF WARSAW
RKO RADIO PICTURES
SELL "SIEGE" WITH FEATURE BILLING!

Ascap's New Air Contract Delayed

Final formula for Ascap's new contracts with radio broadcasters will not be completed in time for submission to tomorrow's meeting of the music licensing society's board of directors.

Changes in the formula resulting from the recent discussion of the Ascap radio committee's report by Gene Buck, Ascap president; John G. Paine, general manager, and Charles Schwartz, counsel, in Phoenix, made it necessary to send the report back to the committee for revision. This work will not be completed for another week or 10 days, following which a special meeting of the Ascap board will be called to receive the finished proposals.

It was indicated also that the recent Montana move, resulting in the arrest and attempted extradition of Buck, was responsible for some of the delay in completing the new contracts for broadcasters.

Para. Plans Detroit Stage Show Policy

DETROIT, Feb. 27.—Paramount is contemplating setting in a stage show or band policy in the Michigan on a limited basis. Sam Dembow, the circuit's home office executive in charge of Paramount's own operated theatres and Leonard Goldenson, also of the home office, have been here since the weekend checking over the situation.

Theatre observers are of the opinion that the success which the band show policy has achieved at the Paramount, New York, over the past several years, has prompted this latest move.

How far Paramount will go with the idea is dependent on the unions, it was said. Putting shows back into the Michigan will create more employment for musicians and stagehands, providing Paramount gets the right kind of a labor deal, officials said.

'Wind' Deal Closed By Saenger Circuit

(*Continued from page* 1)

have been protracted and these deals were in doubt until Connors went to Florida two weeks ago. He renewed negotiations there, combining business with a vacation. He will remain South two more weeks.

The Saenger circuit will open the picture in eight cities March 7 to 8, including Shreveport, Mobile and other situations.

Schlaifer Returns; Set Honolulu Deal

L. J. Schlaifer, vice-president and Western general sales manager for United Artists, has returned from an extended western trip, during which he visited exchanges in Los Angeles, San Francisco, Denver and Chicago.

During the trip, he closed a deal for all U. A. product with the Consolidated Amusement Co. of Honolulu.

'Gulliver' Aired Heavily

Music from "Gulliver's Travels" has been featured in 227 different broadcasts in England, according to a letter received by the Paramount home office from T. C. Reddin, Paramount's director of theatres and publicity in London.

Hollywood Review

"Blondie on a Budget"

(*Columbia*)

HOLLYWOOD, Feb. 27.—Fifth in the series of "Blondie" pictures, based on the Chic Young comic strip, this is concerned with the troubles accruing from family budget matters, involving a membership in a fishing club for "Dagwood" and a new fur coat for "Blondie." Further complications arise from the entry upon the scene of one of the former's old friends, portrayed by the shapely Rita Hayworth.

With the principals portrayed, as usual, by Penny Singleton, Arthur Lake, Larry Sims and Daisy, the picture's place in the minds of the preview night audience was evident from the first burst of cheers which followed the flashing of its title on the screen, while laughter and sympathy were readily evoked as the film unrolled.

Richard Flournoy wrote the screenplay from a story by Charles Molyneux Brown, with Robert Sparks producing and Frank R. Strayer directing, all in a manner designed to continue the popularity of the series.

Running time, 70 minutes. "G."* WALTER SELDEN

"G" denotes general classification.

Marlin King

Washington, O., Feb. 27.—Hoy Simons, owner of the Fayette here, is credited with having caught the largest white marlin fish in Ft. Lauderdale, Fla., this season. It weighed 126½ pounds.

P. S. He has the fish on display in a local store window.

Inventors Honored In Radio, Film Fields

Inventors and scientists who developed photography and radio were among those honored last night by the National Association of Manufacturers at the Hotel Waldorf-Astoria. The awards, which went to "Modern Pioneers," were made to living persons who have contributed to modern scientific development.

Among the 19 national winners were Lee de Forest, inventor of the amplifier tube which made radio and sound films possible; Edwin H. Armstrong, inventor of the super-heterodyne circuit, and developer of the amplifier tube and frequency modulated broadcasting; Leo Hendrik Baekeland, inventor of light-sensitized photographic paper; and Vladimir Kosma Zworykin, developer of the photoelectric cell and inventor of the iconoscope for television.

Alfred N. Goldsmith, consulting engineer for sound films and radio, was among the local winners. O. B. Hanson, NBC chief engineer, was cited for organization of equipment making modern broadcasting possible.

Of a total of 572 local awards throughout the country, RCA engineers won a total of 47 mentions. RCA men honored for pioneering work in television were Harley A. Iams, Humboldt W. Leverenz and Richard T. Orth.

Loew Plans Vaudeville

NEW HAVEN, Feb. 27.—Loew's will inaugurate a one-a-week vaudeville and first run policy at the downtown subsequent 1,482-seat Bijou, March 9.

Albany Bill Orders World Fair Report On 1939 Expenses

ALBANY, Feb. 27.—A measure has been introduced in the New York State legislature, which, if passed, would prevent the N. Y. World's Fair from opening this year unless a certified report of the Fair's 1939 operations shall have been filed before May 1.

The measure was filed in both branches of the legislature. Its co-authors are Senator Peter Farrell and Assemblyman Mario Cariello of Queens. According to them, the Fair has not revealed its 1939 financial record

The report would have to be filed with the New York State Commission on the World's Fair. The Fair currently is scheduled to reopen in May.

The sponsors of the measure said that unless the accounting is submitted, the cost of improving the Fair site for park purposes would have to be paid out of New York City's budget. The ultimate intention is to convert a large portion of the present Fair site into a New York park at the conclusion of the Fair.

Weigh Sunday Films

ANNISTON, Ala., Feb. 27.—Two opposing requests on the issue of Sunday films are before the City Commission, following a recent court decision declaring void a 1935 election outlawing Sunday pictures. A group of ministers have asked for a new election, and business men have asked the Commission to make no further moves against the Sabbath shows.

Doubts Majestic Plan

CHICAGO, Feb. 27.—Doubt was expressed about the feasibility of the plan for reorganization of the Majestic Radio & Television Corp. by Claude R. Roth, trustee, in his report to the Federal Court today. Lack of working capital was the principal difficulty, Roth said. March 25 was set for the filing of a reorganization plan and April 15 for the filing of creditors' claims.

Radio Brevities

FORMER MAYOR JAMES J. WALKER started his "Opportunity Hour" from the stage of Loew's State Monday night over WHN with a group of young professionals and amateurs who are seeking a start in the entertainment world.

An unusual phase of the show is that it includes an opportunity for hopefuls who want to break into radio as announcers and commentators and who cannot show their wares in the usual run of amateur runs.

Walker's genuine affection for the youthful performers and his mastery of the emotional introduction, as well as the wisecrack, lends considerable color and continuity to the program.

A jury of notables sat in judgment on the first night, but it is planned to have members of the theatre audience act as the jury for subsequent shows. Princess Pat cosmetics is the sponsor.

Walker assembled quite a jury for the first show. It included Billy Rose, Fred Waring, Harry Brandt, Vinton Freedley, R. H. Burnside, Emmett Walsh, Dixie Tighe, Hy Gardner, Nick Kenny and Dinty Doyle.

Personalities in the News

Brian Aherne will be guest of Kate Smith over CBS Friday in a dramatization called "Write Me a Love Scene." . . . Ted Taylor, of KGNC, Amarillo; Harold Hough, KGKO, Fort Worth; Martin Campbell, WFAA, Dallas; Bryon Musselman, WSAN, Allentown; and Bob Convey, KDK, St. Louis, are in town.

Short on Television

Paramount will make a short on television with Bob Hope, Akim Tamiroff, Bob Burns, Lanny Ross and Ted Husing. The film will be called "Television Preview."

Program News

A recorded series of 13 safety programs will be shipped to 325 stations this week by the NBC radio-recording division. Produced by the American Legion in the interests of a safety campaign, the programs will be aired weekly from March 4 through May 27. . . . Commercial Credit Co. will sponsor Bob Trout in a five-minute news series Mondays, Wednesdays and Fridays over 64 CBS stations, starting March 25 at 6 P. M.

Photo Transmission from Planes

Radio transmission of photographs from airplanes in flight will be the most probable military development from the war, in the opinion of Dr. Arthur Korn, German scientist who was the first to send photographs over wires, in 1904. Dr. Korn is quoted in an article in yesterday's New York *World-Telegram* by Frederick Woltman, staff writer.

Dr. Korn, a recent emigree from Germany, now teaching physics at Stevens Institute of Technology in Hoboken, sees the military advantage of aerial radio photography in the ability of reconnaissance planes to spot enemy positions and send back detailed data in picture form within a few minutes. In Germany Dr. Korn perfected a transmitting apparatus weighing only 40 pounds, but was forced to leave it when he left for the United States.

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Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

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VOL. 47. NO. 42 NEW YORK, U. S. A., THURSDAY, FEBRUARY 29, 1940 TEN CENTS

Myers Raps 'Mass Insult' On Neely Bill

Sees U. S. Trust Victory; Ohio ITO Speaker

COLUMBUS, O., Feb. 28.—Abram F. Myers, chairman of the board and general counsel of Allied States, today told the I. T. O. of Ohio convention here that he deplores "the asininity of those in charge of the public relations of the producers-distributors who, in order to gain a temporary advantage as to only one of the industry's problems, have gone in for mass insult," in their anti-Neely bill activity.

Myers was the chief speaker at the opening session of the convention, which is being held at the Neil House and will close tomorrow. A talk on industry relations was made by H. M. Richey, director of exhibitor relations for RKO.

Sees Successful Prosecution

Regarding the pending Government anti-trust suits, Myers declared:

"Don't forget that the curbing of chain buying power is the paramount effort behind all the Government's efforts. It is the main purpose of all the pending prosecutions." He predicted that the prosecutions "will be successful in a very substantial degree."

"I feel confident that the Big Eight today would gladly submit to any curb on chain buying power, which admittedly has been abused, if they could be permitted to retain their theatres," Myers continued.

Discusses Special Terms

The Allied counsel devoted much of his speech to a discussion of current product and the special terms asked by distributors for such pictures as "Gone With the Wind" and "Pinocchio." He raised doubts as to the effects of long runs on the industry as a whole and said that the dislocated

(*Continued on page* 4)

Charpentier Named As Canada's Censor

TORONTO, Feb. 28.—Fulgence Charpentier, former newspaperman, has been appointed chief Federal censor, succeeding Claude Melancon, with jurisdiction over films and radio as well as the press, it is announced by Ernest Lapointe, Minister of Justice. Melancon has been transferred to the Bureau of Public Information to cooperate with Col. J. A. Cooper, acting National Film Commissioner, in the making of official films.

1,200 at Academy Banquet Tonight; Balloting is Close

HOLLYWOOD, Feb. 28.—Elite of Hollywood and representatives of publications all over the world will gather tomorrow night in the Cocoanut Grove of the Ambassador Hotel for the 12th annual accolade of the Academy of Motion Picture Arts and Sciences when winners of one of the most spirited balloting contests in the history of the event will be announced.

Nearly 1,200 persons, including 65 newspapermen and companions, have coveted tickets which sold at $25 and $10 each. They were sold out many days in advance. Guy Lombardo and his orchestra will furnish the music.

The program will be opened by Frank Capra, past president of the Academy, who will introduce Walter Wanger, his successor. Wanger, in turn, will present the persons who will announce the winners of the various divisions of competition and present the awards, consisting of either a gold statuette, plaque or scroll.

Dr. Ernest M. Hopkins, president of Dartmouth, will present the award to the winner of the Irving G. Thalberg memorial trophy which is given to the producer adjudged as the most outstanding of the year.

Darryl F. Zanuck will preside over

(*Continued on page* 5)

22 Havana Houses Close

HAVANA, Feb. 28.—Film inspectors who charged that their wage demands had not been met today caused a shutdown of 22 Havana film theatres and several in the provinces. The labor department refused to intervene and the theatres were forced to close due to a lack of inspected film.

City Can't Ban Film If Passed by State

Richmond, Va., Feb. 28.—A city cannot censor a motion picture which has been approved by the State Division of Motion Picture Censorship, the State Supreme Court of Appeals has held here.

The opinion, concurred in unanimously by the court, was in the case of the City of Lynchburg against Dominion Theatres, Inc. A decree of the Lynchburg Corporation Court permitting the theatre company to show "The Birth of a Baby" was affirmed.

Bitter Split in SAG Over Extras Issue

HOLLYWOOD, Feb. 28.—Bitterness developed today between the Screen Actors Guild board of directors, composed of top members, and the Class B Council, composed of extra and bit players.

Both are at odds over the board's decision to give the extras a separate charter and complete autonomy.

The Class B Council went on record today as being strongly opposed to the board's move and charged that it had been given no voice on the question of separation.

Kenneth Thomson, executive secretary of the Guild, is proceeding with preparations for submitting the autonomy question to a vote of both Class A and B members. He charged that certain members of the B Council "in actions have made it clear that they thought they could run the Guild better than the board now runs the Guild."

Film Writers Claim Wage Injustices After Survey

HOLLYWOOD, Feb. 28.—Fifty per cent to active Hollywood writers received $120 weekly or less during 1939 and 50 per cent received more than that figure for average employment of 24.4 weeks for the year, according to an economic survey made by the Screen Writers Guild and released tonight.

Without comment, the Guild in a copyrighted report showed that while percentage of writers getting high salaries decreased, the percentage of low salaries increased. Unemployment also increased, according to the survey.

The Screen Writers Guild sent out 1,000 questionnaires to its members and non-members, 520 replying. Of these, 330 were active members of the guild, 44 were associate members and 143 were non-members. Writers whose replies were used averaged over seven years of employment in film writing, the longest period of employment being 31 years and the shortest seven weeks. The report said in part:

"No attempt was made to arrive at an average weekly wage. The reason for this is obvious. The highest salary reported was $3,750 weekly, lowest $27.50 weekly. It will readily be seen that to merely add these two salaries and divide by two would give

(*Continued on page* 4)

U.S. Has Fear Witnesses Will Be Intimidated

Asks Court Order Aimed Against Majors

Even before the witnesses have been called to testify, the Government has undertaken legal steps to "protect" prospective U.S. witnesses in the New York anti-trust suit.

The Government yesterday served notice on the eight major defendants that it is applying for an injunction to restrain them from any possible attempts to "intimidate and coerce" such witnesses.

A similar order was requested by the Government when the bill of particulars issue arose, but Judge William Bondy rejected the application.

Two Allied leaders are among those who have submitted affidavits to the Government, precipitating the appeal for the order to "protect" witnesses against intimidation.

The application, signed by Federal Judge Alfred C. Coxe, will be heard by Judge Henry W. Goddard on March 5 at 3:30 P.M. in his chambers. The motion cites possible dangers of pressure on witnesses by the defendants, and demands the imposi-

(*Continued on page* 8)

English Exhibitors Ask Lower Rentals

LONDON, Feb. 28.—First shots have been fired in a united campaign of English exhibitors to bring about reductions in film rentals.

Provincial branches of the Cinematograph Exhibitors Association already have considered the matter, and the Scotch Branch has appointed a committee to study the matter. The

(*Continued on page* 5)

Dies Coast Probe Early Next Month

WASHINGTON, Feb. 28.—Hearings on alleged participation of Hollywood Figures in Communist activities are expected to get under way here early next month before the Dies committee, it was said today.

Decision to make a further investigation of the situation in the film colony was reached by the Committee last night after two days of stormy executive meetings at which the whole program of the group was laid out.

Much of the discussion revolved

(*Continued on page* 8)

'Wind's' Subsequent Runs Start March 21

"Gone With the Wind" will start Greater New York subsequent runs March 21 at Loew's Valencia in Jamaica, L. I., and the Paradise in the Bronx.

The Loew circuit has preference on bookings on the film, which will open at 10 theatres in New York March 28, at another group of 10 houses April 4 and 14 houses on April 11. The bookings are for a minimum of a week each. Discussions on deals with other New York circuits have not started as yet.

The picture reached a box-office gross of $11,400,000 last night in the United States and Canada, according to M-G-M.

The film completes a four-week run at Loew's Metropolitan in Brooklyn today.

"Gone With the Wind" will end a seven-week run at Warners' Boyd in Philadelphia March 6 with a total gross estimated at more than $200,000 for the two-a-day engagement. It will continue indefinitely at the Earle, where it is playing a three-a-day continuous engagement.

Coast Flashes

HOLLYWOOD, Feb. 28.—All principals of the New York cast of "Too Many Girls," recently purchased by RKO, have been signed to appear in the screen version. George Abbott, producer of the stage show, will produce and direct the film.

Vernon Harbor, with RKO for nine years, has been appointed assistant to Danny Winkler, recently made executive in charge of studio commitments.

Paramount today took up the option on Bellamy Partridge's novel, "Country Lawyer," with production scheduled to start in June. Stuart Walker will be associate producer.

Lon Chaney Jr. was borrowed today from Hal Roach for a role in Cecil De Mille's "Northwest Mounted Police."

Private funeral services will be held tomorrow afternoon for 18-months-old Linda Speers, daughter of Robert Speers, Paramount publicist. She died today of pneumonia.

'Pinocchio' Showing For Scarsdale Elite

A "hinterland" preview of "Pinocchio" will be held Saturday night at the Frank Vanderlip country estate at Scarsdale as part of the Stage & Screen Star's ball. Westchester socialites will be attired in "Pinocchio" costumes and masks, and will be introduced as a buildup to the coming suburban playdates. Beechwood Players are sponsoring the fete.

Paramount Sets Dividend

Board of directors of Paramount Pictures, Inc., yesterday declared a regular quarterly dividend of $1.50 per share on the first preferred stock and 15 cents per share on the second preferred stock, payable April 1 to stockholders of record on March 15.

Purely Personal

NATE J. BLUMBERG, president of Universal, returned yesterday with MRS. BLUMBERG from a vacation at Miami Beach.

•

JOSEPH FIELDS, member of the service staff of the Byrd Theatre, Richmond, who is also a student flyer, has applied to the Finnish Government for active service in the war against Russia.

•

ARMAND DENIS and his wife, LEILA ROOSEVELT, who brought back film from their recent African expedition, have returned to their home in Putnam, Conn.

•

FRANK McHUGH, Warner player, has arrived in the East from the studio for a vacation. He will visit relatives in New England during his stay.

•

RUTH GORDON will address New York City school teachers of English on "Growing Up" at Textile High School on Friday.

•

GEORGE WEST, interested in Monogram exchanges in Kansas City and St. Louis, has returned from visits to both cities.

•

LEON NELSON, JR., Warner head checker in the Richmond territory, is recuperating from an appendicitis operation.

•

JOHN MANHEIMER, executive secretary of the I.T.O.A., has returned from several weeks' vacation in Miami.

•

VERA HAAL is enroute from New York to the RKO studio on the Coast. She was awarded a contract last week.

•

DAVID PALFREYMAN of the Hays office is attending the Ohio I.T.O. convention in Columbus.

•

TONY CASELLI, operator at the Bijou, New Haven, is on a vacation in the South.

•

SAM GLAZER, United Artists Toronto manager, is on a holiday in Miami Beach.

•

OTTO E. KOEGEL left yesterday for Miami Beach following a tonsil operation.

•

WILLIAM and LOU BRANDT and their mother return from Miami Sunday.

•

MARVIN SCHENCK of Loew's is vacationing at Hot Springs, Ark.

•

GLENDON ALLVINE has returned from a visit to Kansas City.

•

HARRY ALEXANDER, president, and N. A. TAYLOR, vice-president of the Independent Theatres Association of Toronto, are in California.

•

ARTHUR KRIM, MARC BLITZSTEIN, AUSTIN KEOGH, I. E. LOPERT, AL LEWIS, ROBERT MILTON, JOSHUA LOGAN and EDDIE DOWLING at Sardi's for lunch yesterday.

•

MADELEINE CARROLL arrives today from abroad on the *Conte di Savoia.* TRUMAN H. TALLEY, general manager of Movietone News, is also a passenger.

•

Among the Toronto exhibitors on vacation in Florida are SAM FIRESTONE, ABE POLAKOFF, MR. and MRS. SAM ULSTER.

•

J. M. FRANKLIN, head of the Franklin & Herschorn Circuit, St. John, N.B., and his family are in Miami.

•

PHILIP GRAVITZ, M-G-M New Haven booker, has returned to his desk after an appendicitis operation.

•

JOSEPH O'SULLIVAN is handling special feature publicity for Walt Disney on "Pinocchio."

•

JACK GOLDBERG, M-G-M salesman in Washington, observes his birthday tomorrow.

•

CONSTANCE BENNETT is in town for several weeks.

New Anti-Trust Suit Started at Newark

A new anti-trust suit has been filed against the major companies, this time in Newark, N. J., Federal court, by the Netcong Amusement Co., Inc., operating the Netcong Theatre, Netcong, N. J.

The action asks $330,000 damages, charging unfair clearance between the town of Netcong and Dover, about eight miles away. The Netcong is operated by Fred Falkner and William E. Smith, who have five other houses in Upper New York State and in New Jersey.

Balcon Quits British Production Group

LONDON, Feb. 28.—Michael Balcon has resigned as president and a member of the British Film Production Association, claiming that its procedure is unconstitutional and that the manner in which business is conducted is not in the best interests of the British industry.

It is believed the basis of his decision is a disagreement over the preparation of a memorandum by the organization for consideration by the Board of Trade. Balcon's studio company also has resigned.

Metro Extends Contest

M-G-M has extended its $10,000 independent exhibitor exploitation contest to include all the company's 1939-'40 releases. Original closing date of the contest was March 1, and included films released from Sept. 1, 1939, to Dec. 31. There will be identical prizes for first run and subsequent run exhibitors.

Kaster Wins Verdict

A verdict for the defendant has been rendered by a City Court jury in the suit of the Esco Operating Corp. against William Kaster. Filed in 1938, the suit alleged that Esco, a subsidiary of the Cocalis Circuit, as part owner of the Manhattan Theatre, was overcharged by Kaster, also an owner, on alteration costs.

Ampa Meeting Today

All major companies have made table reservations for today's Ampa meeting at Jack Dempsey's restaurant, starting at 12:45 o'clock. Frank S. Nugent, *Times* critic, will be guest of honor. Other newspaper film critics will attend.

Publicists Organize Employment Bureau

HOLLYWOOD, Feb. 28.—The Film Publicists Guild has established a bureau to assist members who are out of work to find employment in other fields as well as films.

Known as the Guild Publicity Bureau, Inc., the bureau will operate under the supervision of Gabe Yorke as a completely equipped and organized free lance publicity servic[illegible] individuals and institutions wit[illegible]nd outside the film industry.

The bureau's activities will not be permitted to conflict in any way with the work being done by the studio publicity bureau or free lance publicity agencies already established.

The enterprise is regarded as the first undertaking by a Hollywood guild to provide consistent employment for its members during periods of transition or while at liberty. It is understood the bureau will commence activities with a sufficient number of accounts to meet overhead and the prospects of an immediate increase.

F. & M. Sues, Wants Legal Fees Returned

ST. LOUIS, Feb. 28.—Trial started today in Circuit Court of the suit filed by Fanchon & Marco, Inc., and two of its subsidiaries to regain $42,200 allegedly paid in legal fees to John S. Leahy, attorney, and two of his partners. The action is an outgrowth of an anti-trust action in 1936.

Attorneys for F. & M. contend that Leahy insisted on the filing of an anti-trust suit even after he had learned that F. & M. had effected a settlement of their difficulties with the major companies. The anti-trust suits subsequently were dismissed. The suit also asks cancellation of $42,800 in notes given the defendants.

Pool to Distribute Yiddish Films Seen

Sydney Singerman, general manager of Maymon Films, is discussing with other distributors of Yiddish films a move to pool the distribution of Yiddish pictures for economy reasons. The plan includes the individual production of films but with distribution through a central source. There are about six producers of Yiddish films in the United States.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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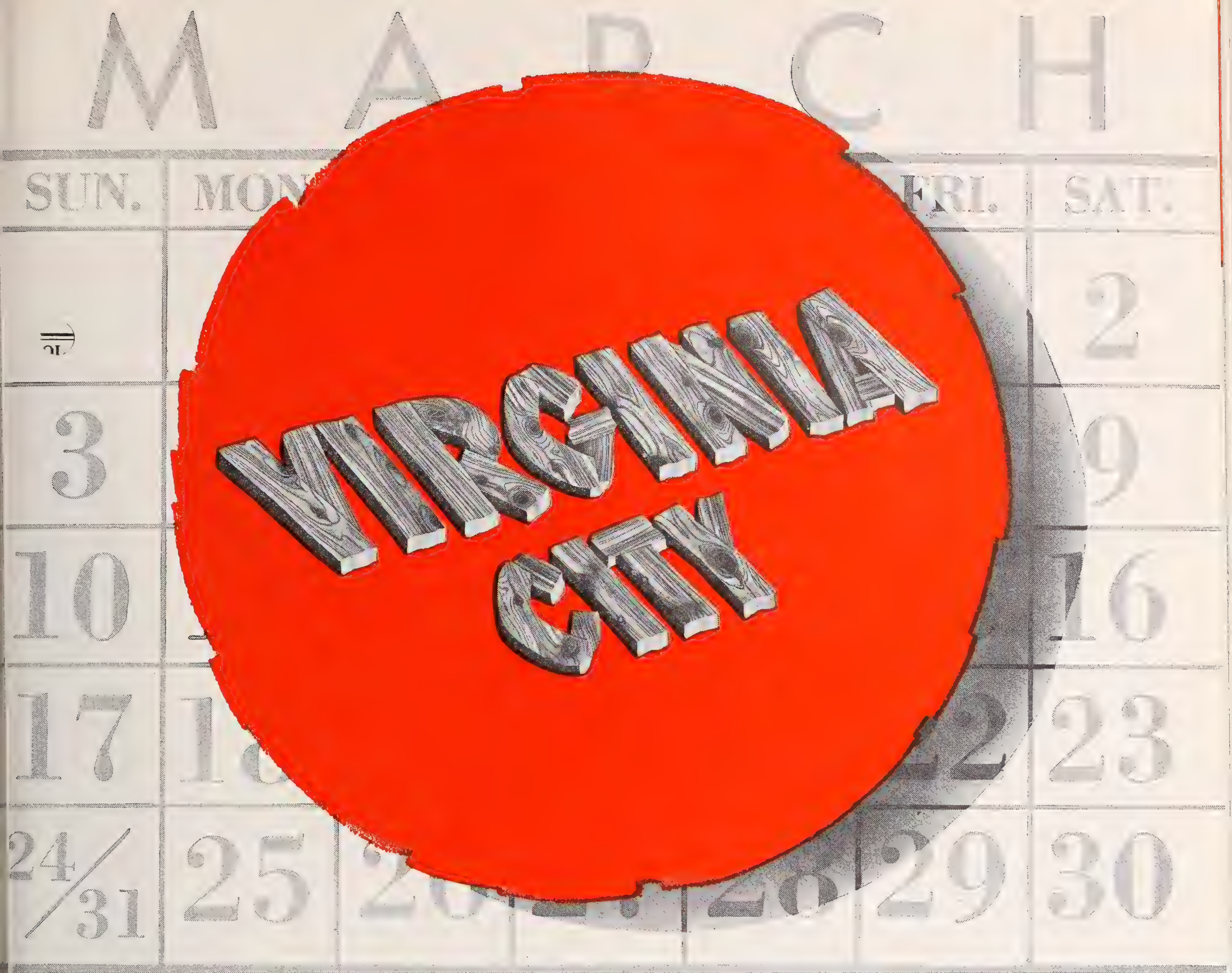
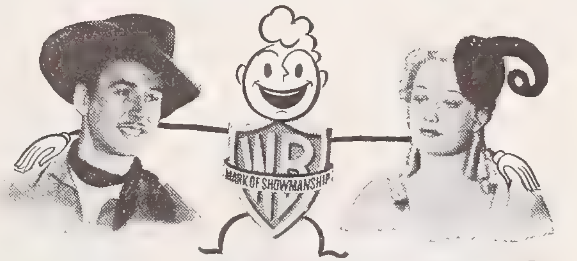


LEAVE A BIG SPOT IN YOUR MARCH PROGRAM!

For Easter go West-a! Last Easter 'DODGE CITY,' this year 'VIRGINIA CITY'-and bigger! Watch THE VIRGINIA CITY SPECIAL roll to Virginia City March 16!

WARNERS, *the Showmen!*



TERRIFIC TEAM-WORK BY

ERROL MIRIAM
FLYNN · HOPKINS

Randolph Scott · Humphrey Bogart
Frank McHugh · Alan Hale · 'Big Boy' Williams
Directed (*for action!*) by Michael Curtiz

Film Writers Reveal Wage Survey Facts

(*Continued from page* 1)

an average salary of almost $2,000 weekly, which could hardly be called a true picture. Therefore, the method employed was that which Government and all reputable statistical agencies find most accurate, medium or medial figure.

"This method considers complete salary range and looks for exact center point from which 50 per cent of the number are above and 50 per cent are below.

"This survey is made on the basis of reports of salaries of the last three years. That there has been definite lowering of salaries during that time, despite the fact that there has been no industry wide salary cut, is shown by the following figures:

Medial Wage of $120

"Medial weekly wage for 1937 was $174, for 1938 it was $151, and for 1939 it was $120. Agents' fees are fixed expense. Deduct at least 10 per cent from above table for actual earnings.

"Not only has medial salary dropped, but number of weeks employment per year has diminished and there has been increase in total unemployment as well.

"Average number of weeks worked per year in 1937 was 26.5; for 1938 it was 25.9 and in 1939 it was 24.4.

"Average total unemployment for 1937 was 12.9 per cent; for 1938 it was 13.2 per cent and in 1939 it was 16.6 per cent.

"Unemployment as used in these figures refers specifically to screen writers who have had credits or actual studio experience and who were available for employment during time specified.

"We find that while 53 per cent of writers who answered this survey received salary increases during the past three years, 62 per cent of this number worked fewer weeks per year.

Lower Salaries Prevail

"Lower salaries are becoming more prevalent. Writers averaging $50 per week or under went from 24.5 per cent in 1937 to 24.3 per cent in 1938 and to 31 per cent in 1939. Higher salaries have always been few and are on the decline.

"Writers averaging over $2,000 weekly in 1937 were 1.2 per cent of the total, decreasing in 1938 to nine-tenths of one per cent and in 1939 to eight-tenths of one per cent. Percentage of writers averaging over $1,000 per week in 1937 decreased from seven per cent in 1937 to 6.9 per cent in 1938 and 6.6 per cent in 1939."

Gets AGVA Charter

PHILADELPHIA, Feb. 28.—Membership of the United Entertainers Association, organization of vaudeville and night club entertainers here, unanimously approved affiliation with the American Guild of Variety Artists and accepted a charter as A.G.V.A.'s Philadelphia local. Philip Irving, president of the New York local, formally presented the charter after affiliation was approved. A nominating committee will meet to select new officers.

Critics' Quotes . . .

"NORTHWEST PASSAGE" (M-G-M)

For the most part the film described the hazards of the trip and the return as vividly as the book. . . . Tracy can get ready to accept wholesale congratulations again.—**Chicago Daily Times.**

Thrilling. . . . It is adventure, high wide and handsome. . . . Presents Tracy in what is perhaps his finest characterization. . . . The picture has sweep and is also rich in detail.—**Chicago Tribune.**

A stunning, almost unbearably exciting production, one that sets a new high in movie realism. . . . A grim statement of horrifying fact—not for the squeamish. . . . Carries no plot in the accepted sense of the word. . . . One of the principal reasons for the film's force is Spencer Tracy.—**Philadelphia Record.**

A stirring, heroic, nerve-shattering drama of pre-Revolutionary days. . . . Magnificently produced in color. . . mighty adventure story, superbly played.—**Philadelphia Inquirer.**

Adventure—juicy, red and raw. . . . Is punch-packed entertainment. . . . Spencer Tracy gathers himself a large and fresh supply of laurels. . . . One of the best jobs of his career is turned in by Robert Young.—**Philadelphia Ledger.**

One of the most virile and arresting historical melodramas to come out of Hollywood. . . . The performances are entirely convincing. . . . Maintains a high pitch of excitement and suspense. —**Newsweek.**

Myers Sees U. S. Victory In Industry Trust Suits

(*Continued from page* 1)

flow of product resulting threatens a serious film shortage in some sections.

Viewing the current situation caused by departures in distribution and exhibition, Myers warned of "breakers ahead" and urged independent exhibitors to take protective measures.

The current earnings of the industry as a whole do not warrant increases in film rentals, said Myers.

Myers reiterated that Allied is ready to renew negotiations on arbitration of trade disputes, but that all, not only a few, grievances must be included. He expressed hope that the distributors would be willing to discuss problems with Allied.

Urges Quick Adjustment

"Unreasonable clearance, arbitrary allocation of pictures, overbuying, oppressive exercise of chain buying power, withholding of product—all these call for amicable adjustment within the industry, now," Myers asserted. "The larger issues may not be finally settled for a number of years. In the meantime, Rome is burning."

Before the approximately 75 exhibitors present, representing 101 theatres in the state, President Martin G. Smith vigorously assailed the announcement of the Dies Committee in Washington that a new investigation would be undertaken of the industry in Hollywood. He said:

"It is gross injustice to point an accusing finger at our industry. There are no more un-American individuals in this industry than in other professions. If the investigation materializes the public should not be led to believe that this industry is dominated by un-American factions."

He asked that a resolution to that effect be adopted.

'Strong State Organization Needed'

Smith stressed the need for a strong state organization because of the "advent of many new forms of competition."

Charles L. Casanave, head of Advertising Accessories, Inc., National Screen Service subsidiary, referring to the accessories setup, said:

"We have worked on this plan for six years. We are not a monopoly. We expect to reduce accessory rentals, and representatives have been authorized under a national policy to make five-year agreements guaranteeing no price increases."

'Industry Losing 15 Millions a Year'

Darrell Greek, I.T.O. attorney, explained the status of the taxpayer action to force the state of Ohio to collect a tax on film rentals, which had been declared exempt by state authorities.

In his speech Richey declared that "destructive criticism is costing the industry $15,000,000 a year minimum." He added that the industry will experience its "most prosperous era in history" when it finally achieves peace, "as it must soon."

He based his estimate of loss on the possibility that the 15,000 theatres operating in the United States would increase their gross $3 or more a day if certain adjustments were accomplished.

Richey deplored the airing of industry grievances in public and urged a return to the fundamentals of showmanship. The film business, he said, depends on selling glamor, and anything which detracts public attention from the main purpose is destructive.

Theatres Push Modernization

In comparison with the caliber of films and exploitation in the last five years, the present season has reached a peak, Richey declared.

Furthermore, he continued, film theatres are keeping abreast of the times by modernizing. In the last two years more of this has been done than in any previous comparative period, Richey said.

Striking at double billing, Richey declared it to be "bad salesmanship, prevents proper exploitation of worthwhile pictures and discourages the public from being frequent attendants and encourages them to wait for the big combination bills."

30 Percentage Films for Next Year—Balaban

Paramount next season will make 30 top pictures—the same number as this year—which will rate percentage rentals, Barney Balaban, president of Paramount, said yesterday.

Because of the 25 to 35 per cent decline in foreign grosses, and because increasing restrictions have been imposed on trade and currency around the world, Hollywood soon may have to make the kind of pictures that will be able to retrieve 90 per cent of their revenue from the North American continent, Balaban declared.

Balaban has just returned from Miami Beach. While in Florida he mixed business with pleasure. He was in constant touch with company and industry conditions by telegraph and telephone and had many conferences with visiting Paramount partners, exhibitors and industry chieftains, such as Leo Spitz, Nate Blumberg, Nicholas M. Schenck, Joseph M. Schenck, E. V. Richards and others.

Referring to his own company's production plans, Balaban said that Paramount hereafter will be able to spend more on its top bracket productions because of improved studio conditions.

Balaban, in commenting on Paramount's interest in DuMont Laboratories, pointed out that the picture company was steadfastly watching the television situation through the medium of this investment. He stated that theatre partners would act on their own in regard to establishing television stations.

Balaban & Katz, in Chicago, Paramount's chief theatre subsidiary, is among those which has made application for a television license to the Federal Communications Commission.

When asked about reports that exhibitors in some localities are protesting 16 mm. film competition, Balaban stated he was "looking into that problem."

Altermans Win Suit Over L. I. Theatre

Supreme Court Justice Lockwood yesterday decided in favor of the defendants in a $250,000 suit filed by William Isensee against Louis Alterman, Jack Alterman, Long Island Motion Picture Co., owner of the building in which the Savoy Theatre is housed, and the Coy Operating Co., operator of the theatre.

Isensee, a majority stockholder of the Long Island Motion Picture Co., charged that Louis and Jack Alterman, minority stockholders, had leased the theatre to themselves in the name of Coy and have been operating it since 1929 without his knowledge. He also charged that insufficient rental was paid the realty company. Louis Nizer represented the defendants.

Lloyd Suit Up Monday

Plagiarism suit of William Rapp and Lowell Brentano against Harold Lloyd and the Harold Lloyd Corp. concerning "Professor Beware" will be heard in the New York Federal Court March 5. Lloyd is en route here from the Coast.

Theatre and Personnel Notes

Air-Conditioning House

TORONTO, Feb. 28.—The Belsize Theatre, Toronto neighborhood house of the Famous Players' circuit, is being air conditioned.

Farrow to Manage Theatre

TORONTO, Feb. 28.—The Kingsway Theatre, to open shortly in the Islington, suburban district of Toronto, will have Brock Farrow, son of the builder, as manager.

Manages Canadian House

TORONTO, Feb. 28.—William McKnight, former manager of the Alhambra and Madison Theatres, Toronto, has been appointed manager of the Capitol at Woodstock, an independent house. A brother, Tom, is manager of the Patricia in nearby London.

Building Miami Theatre

MIAMI, Feb. 28.—Work has started on a $100,000 theatre here for the Biscayne Boulevard Theatre Corp., of which Lester Duxstad is president. The house will seat 965.

1,200 at Academy Banquet Tonight; Balloting is Close

(*Continued from page* 1)

the technical awards division; Gene Buck, president of Ascap, music awards; Bob Hope, short subjects; Mervyn LeRoy, director; Sinclair Lewis, writing; Y. Frank Freeman, outstanding production.

Edward Arnold and Mickey Rooney will announce two special trophies to be given. Following this Fay Bainter will summon forward the winners of supporting player competitions. Spencer Tracy will call to the stand the top actor and actress award winners.

Balloting ended at midnight last night. Price, Waterhouse and Co., certified accountants, are tabulating the votes.

Dowling May Drop Equity Council Post

Eddie Dowling, actor-producer whose appointment to the Actors Equity council caused a protest from a number of Equity members, declared yesterday that he was considering resigning and would make his decision known later this week.

Dowling denied that the protests would influence his decision. He declared that he had accepted the post without full realization of the demands it would make on his time, and that pressure of work might compel him to resign.

Dowling is currently acting in "The Time of Your Life," of which he is co-producer with the Theatre Guild, and is readying a new show for spring production. Equity officials declared yesterday that it was not unusual for an actor-producer to be named to the council, there having been about 10 such appointments in previous years.

Hollywood Reviews

"The House Across the Bay"

(*U. A.-Wanger*)

HOLLYWOOD, Feb. 28.—George Raft and Joan Bennett, supported by Lloyd Nolan, Gladys George, Walter Pidgeon and others, are starred in Walter Wanger's "The House Across the Bay," a slow moving drama of an underworld character's wife who sends him to prison in order to save his life from a rival racketeer. Her plan misfires when her husband's attorney, desiring her love, puts up such a poor defense that the racketeer gets ten years in Alcatraz.

From there on, the story sags until its final moments. The lawyer hounds the wife who has fallen in love with an airplane inventor, and finally tells Raft of her actions. Raft escapes from Alcatraz, kills the attorney, after hearing his wife and the inventor's stories, and is killed by guards while returning to "The Rock."

Archie Mayo, who directed such pictures as "They Shall Have Music," "Youth Takes a Fling," and "The Adventures of Marco Polo," guided this production. Kathryn Scola receives credit for adapting the original story by Myles Connolly.

Miss Bennett, in her best thespic achievement to date, sings two songs, "Chula, Chihuahua!" by Jules Styne, Nick Castle and Sidney Clare, and "I'll Be a Fool Again," by Al Siegel. The latter has possibilities of becoming popular.

Included in the cast are June Knight, Peggy Shannon, Edward Fielding, Miki Morita, Eda McDaniels, William Wayne, Joseph Sawyer, Cy Kendall, Virginia Brissac, Joseph Crehan, William Halligan, Kenneth Harlow, Ed Marr, Norman Willis, Georges Renavant and Mack Gray.

Running time, 85 minutes. "A."* VANCE KING

"A" denotes adult classification.

"The Showdown"

(*Sherman-Paramount*)

HOLLYWOOD, Feb. 28.—The "Hopalong Cassidy" created by Clarence Mulford and brought to the screen by William Boyd under the production aegis of Harry Sherman, is here instrumental in seeing that a shipment of horses is safely made. That shipment, and attempts to sidetrack it, provide the main action ingredients of the story by Jack Jungmeyer, with screen play by Harold and Daniel Kusell.

Romantic elements are supplied by Russell Hayden and Jane Clayton, the latter cast as a girl who falls heir to a ranch. Morris Ankrum, as a bogus Baron, supplies the villainy.

Howard Bretherton's direction keeps the emphasis on action, with backgrounds of the picture properly scenic for the outdoor subject.

Running time, 63 minutes. "G."* WALTER SELDEN

"Millionaire Playboy"

(*RKO*)

HOLLYWOOD, Feb. 28.—This is a farce, having as its principal protagonist Joe Penner, whose role is that of a scion of a wealthy family who gets hiccups when a girl kisses him. Reminiscent of earlier Harold Lloyd vehicles and laden with slapstick, it was written by Bert Granet and Charles E. Roberts, from an original story by the former. Robert Sisk produced under the guidance of executive producer Lee Marcus.

Supporting Penner are Linda Hayes, Russ Brown, Fritz Feld, Tom Kennedy, Granville Bates, Arthur Q. Bryan, Adele Pearce, Diane Hunter, Mary Milford and Mantan Moreland.

Penner is taken to a vacation resort through a plot of his father, who wants him to be cured of hiccuping when he is kissed. The beautiful girls there harass him, he falls in love with the proprietress of the resort. Penner manages to outwit his father's agents, desirous of purchasing the establishment, and all ends happily.

Running time, 64 minutes. "G."* VANCE KING

"G" denotes general classification.

Hold Rites for Marrs

TORONTO, Feb. 28.—Funeral services were held for Harry D. Marrs, manager of the Orpheum, Moose Jaw, at Hamilton, Ont. He died suddenly in his 59th year. He was a road show manager before the last war and became an exhibitor 15 years ago.

Metro Buys Article

HOLLYWOOD, Feb. 28.—M-G-M has acquired film rights to "As Nazi Tourists See Us," an article by Paul Martin, which originally appeared in the magazine, *The Living Age*, and later was used in condensed form by *Readers' Digest*.

Tips on Exploitation

College Queen Contest Planned by Paramount

An all-American college queen, chosen from 462 colleges in the country, will be picked by Paramount in a national contest in connection with the world premiere of "Those Were the Days," in Galesburg, Ill., on May 21. One girl will be selected from each state in preliminary tests. Twelve will be selected to attend the opening, and a final winner will be given a screen test in Hollywood.

'Brain Twister' Stunt Is Used on 'Balalaika'

TORONTO, Feb. 28.—Manager Ray Tubman of the Capitol, Ottawa, secured three full pages of cooperative advertising in the *Journal* in a tieup with 24 merchants in a "brain twisters" contest for the run of "Balalaika." Readers were invited to identify the slogan or other characteristic of each store, which were first published in panels on a page without names or addresses. Several days later the complete advertisements with names of winners were published on two pages. Merchants provided eight merchandise prizes while the cost to the theatre was 10 pairs of passes.

Women's Wear Section Plugs 'Thief of Bagdad'

Women's Wear Daily, leading trade publication devoted to the women's clothing field, on Tuesday issued a special section, arranged as a tieup by Monroe Greenthal, head of exploitation of United Artists, on Alexander Korda's film, "The Thief of Bagdad." Several articles and advertising stress the merchandising possibilities of the so-called Thief of Bagdad dress patterns, in Oriental designs.

Warners Issue Smart 'Virginia' Invitation

Warners has sent out what the press department calls a "lusty appeal" to be present at the opening of "Virginia City" at the town of that name in Nevada on March 16. Described in an accompanying letter as the "harbinger" of a formal invitation, the "appeal" is a large, attractive poster, hand-lettered, with small, color illustrations pertinent to the text describing the nature of the town in its mining heyday.

English Exhibitors Ask Lower Rentals

(*Continued from page* 1)

C. E. A. 1940 General Council will hold its first meeting on March 13.

The London Branch today tables a resolution, which has unanimous support, calling on the General Council to take immediate action. The exhibitors contend that rentals were too high, even before the war.

Representatives of the London Branch tomorrow will discuss with Oscar Deutsch, head of Odeon Circuit, his plan to show films in Leicester Square free on Sundays for members of the armed forces. The plan is vigorously opposed by local exhibitors.

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 2	Pioneers of Frontier (O) Convicted Women (D)	I Take This Woman (G-D) *La Marr-Tracy*	Chasing Trouble (G-D) *Frankie Darro*	Parole Fixer (G-D) *William Henry*	Village Barn Dance (G-M) *Cromwell*	The Marines Fly High (G-D) *Dix-Ball*	The Man Who Wouldn't Talk (D) *Lloyd Nolan*		Danger on Wheels (D) *Arlen-Devine*	Calling Philo Vance (G-D) *Stephenson*
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (G-M) *Astaire-Powell*	East Side Kids (G-D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (A-D) *Lombard-Aherne*	Little Old New York (G-D) *Faye-MacMurray*		My Little Chicadee (A-C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (G-D) *Del Rio-Beery*	Cheyenne Kid (G-O) *Jack Randall*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (G-C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (G-D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (G-O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore Johnnie Downs*	
Mar. 1	Blondie on a Budget (C) *Arthur Lake Penny Singleton*	Strange Cargo (D) *Clark Gable Joan Crawford*	Rhythm of Rio Grande (G-O) Torpedo Raider (D)	Seventeen (G-D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Chan in Panama (G-D) *Sidney Toler*	House Across the Bay (D) *Joan Bennett George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (G-D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (D) *Bela Lugosi*	Showdown (O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (D) *Gargan-Ford*			Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (G-D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (G-D) *Drew-Paige*	Forgotten Girls (D) *Donald Woods*	Millionaire Playboy (C) *Joe Penner*	Grapes of Wrath (A-D) *Fonda-Darwell*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*	Florian (D) *Robert Young*		Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (O) *Gene Autry*	Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29	I Married Adventure (D) *Mrs. Johnson*	Dr. Kildare's Girl (D) *Lew Ayres L. Barrymore*	Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*	Ghost Valley Raider (O) *Donald Barry*	Irene (M) *Anna Neagle Ray Milland*	Free, Blonde and 21 (A-D) *Bari-Davis*	Over the Moon (D) *Merle Oberon*	Black Friday (D) *Karloff-Lugosi*	
Apr. 5	Blazing Six Shooters (O) *Starrett*		Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*		Courageous Dr. Christian (D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	One Million B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	
Apr. 12			Covered Wagon Trails (O) *Jack Randall*	Dr. Cyclops (D) *Albert Decker Janice Logan*		My Favorite Wife (D) *Dunne-Grant*	Viva Cisco Kid (D) *Romero*		House of Seven Gables (D) *Lindsay*	
Apr. 19			Phantom Pilot (D) *James Newill*	French Without Tears (C) *Drew-Milland*		Beyond Tomorrow (D) *Binnie Barnes*	Dance With the Devil (D) *Tyrone Power*		Enemy Agen (D) *Cromwell*	

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MARCH 8
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MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

Protection Sought For U.S. Witnesses

(*Continued from page* 1)

tion of five restrictions governing the interviewing witnesses.

Affidavits of H. A. Cole, president of the Texas Theatre Owners Association; Nathan Yamins, president of the Independent Exhibitors of New England, Inc., and Joseph Conway, member of the Allied Independent Theatre Owners of Eastern Pennsylvania, are submitted in support of the application.

Five Restrictions Asked

The five restrictions which the Government will ask Judge Goddard to impose on the majors were set forth in an accompanying proposed order as follows:

(1) That the defendants shall not in any manner intimidate or attempt to intimidate witnesses, or to influence their testimony by threats of annoyance or oppression adversely affecting a witnesses' business.

(2) That no interview of a witness shall take place in an office of a defendant during preparation for, or during the trial of the suit.

(3) That all officers and employes of the defendants who have the power to affect the terms of any licensing agreements with the witnesses shall be barred from the interviews.

(4) That witnesses who are interviewed shall be told that no statement made by them to agents of the defendants, third persons, or on the witness stand, will affect, in any way, the business relations between the witnesses and the defendants.

(5) That a copy of the order providing for these restrictions shall be read to a witness before he is interviewed.

U. S. Answers Due Tomorrow

In a preliminary statement, the order declares that the Government's answers to the defendants' interrogatories, to be filed on Friday, will disclose a number of prospective witnesses. In order to protect a majority of these witnesses who have business relations with the majors, this order is essential, the Government maintains.

The order points out that the restrictions are sought only to cover witnesses actually listed in these answers. A number of witnesses have expressed a fear that their testimony will be followed by discrimination against them by the majors, the government states.

To back this assertion, the Government appended to the application the affidavits of Cole, Yamins and Conway. Each of these exhibitors contends, in his affidavit, that witnesses, "even without threats by the major companies," will not testify fully unless the court safeguards their business interests.

Majors Deny Intimidation

Two of the affidavits attempt to prove this assertion by citing alleged examples of specific discrimination. The majors have on a number of occasions vigorously denied charges of intimidation.

Answers to Government interrogatories numbering 40 through 59 are scheduled to be filed by the majors tomorrow.

On the same day the Government is expected to file its answers to a consolidated list of interrogatories submitted by the majors.

RADIO BREVITIES

MAJOR BOWES will celebrate the sixth anniversary of his "Amateur Hour" on Thursday, March 21 over CBS. The last three years have been with Columbia. During the past six years, about 1,500 amateurs have earned approximately $2,000,000 touring in road companies and appearing on the stage in film houses.

Since his association with CBS, Major Bowes has auditioned 80,000 applicants with about 3,500 actually getting their chance before the microphone.

Kaltenborn Going to NBC

After having been heard on CBS since the organization of the network, H. V. Kaltenborn is scheduled to transfer his activities to a special NBC network of 36 stations on May 28. His sponsor, Pure Oil Co., will continue to act as sponsor after the switch. The new contract will be for 52 weeks. Kaltenborn will be heard Tuesdays, Thursdays and Saturdays from 7:45 to 8 P.M.

Personalities in the News

Phil Spitalny, the bandleader, has been booked into the Stanley theatre, Pittsburgh, for March where he will follow his brother, Maurice Spitalny, who appears there the preceding week. . . . Leo J. Omelian, manager of WLEU, Erie, arrived in town yesterday. . . . The Ritz Brothers will be guests of George Fisher over Mutual on Wednesday at 2:45 P. M. . . . Ralph Foster and John Pierson, manager and sales manager, respectively of KGBX, Springfield, Mo., returned home yesterday after a week's stay here. . . . Betty Grable will reveal the sports habits of the Hollywood great as the guest of Bill Stern on March 10.

Pittsburgh Night Tonight

Westinghouse's "Musical Americana" will celebrate Pittsburgh Night over NBC-Blue today at 8 P. M. A delegation of NBC officials left last night to be on hand for the celebration. Included were A. L. Ashby, William S. Hedges, Charles W. Horn, I. E. Showerman, Keith Kiggins, Mr. and Mrs. Walter E. Myers, and Mr. and Mrs. A. J. Ghisalbert.

Program News

American Tobacco Co. has renewed Kay Kyser's "College of Musical Knowledge" over NBC-Red for an additional 13 weeks. April 3 will start Kyser's third year on the network for the same sponsor. . . . Raymond Gram Swing, now heard on three Mutual stations, is scheduled to go Coast-to-Coast in the near future. . . . NBC has recorded four 15-minute programs for the Rexall Stores and will ship the transcriptions to 250 stations to be used locally for promotion of the annual one-cent sale.

Song Star Gets Screen Test

Yvette, the singing discovery at NBC, who is heard Sundays at 3:45 P. M. and Mondays at 6 P. M. over the Red network, was given a screen test by Paramount this week.

Mutual's 120th Affiliate

WJEJ, Hagerstown, Md., becomes the 120th affiliate of Mutual tomorrow. The station operates on 1,210 k.c. with 100 watts power, unlimited time, but has an application pending for increase of power to 250 watts.

Radio-Theatre Tieup

A tieup between neighborhood film houses and radio has been worked out by Bill Berns in his "Uptown Movie Reporter" show over WBNX. Berns broadcasts Mondays, Wednesdays and Fridays with Hollywood comment, reviews and interviews. In addition he announces the current programs being shown at the York, Del-Mar, Manhattan, Dorset, Central, Ace, Metro, Vogue, Bedford, Decatur, Burke, Laconia, Wakefield and Kimball, all independent houses in Manhattan and the Bronx. In return, the theatres flash an announcement on the screen calling attention to the program and its sponsor, Chateau Martin Wines.

Rudy Vallee's New Show

Recording of a sample program of Rudy Vallee's new show for Sealtest arrived from the Coast yesterday. The show will feature Vallee as a vagabond lover taking an active part in some memorable event of history. Maxie Rosenbloom assists Vallee. Hollywood guest stars also will be used.

The sample program sets a smash pace which should rank among the topnotchers within a few weeks. The humor is of a fast situation type, with a large smattering of gags. Vallee's songs are spotted in appropriate places and worked into the plot. Gilbert and Sullivan tunes with new lyrics are used and the music is generally employed to heighten the comedy effect.

WNEW Wants to Go FM

WNEW is the latest of the local stations to apply for a license to erect a frequency modulation transmitter.

Ayers Denies Plea To Extradite Buck

HELENA, MONT., Feb. 28.—Gov. Roy E. Ayers of Montana yesterday at a hearing refused to ask the extradition of Gene Buck, president of Ascap, from Arizona on a charge of obtaining money under false pretenses.

Buck, arrested in Phoenix, Ariz., last week on a telegraphic warrant from Missoula, Mont., was at liberty under a bond of $750, to which it had been reduced from $10,000.

County Attorney Edward T. Dussault of Missoula said the authorities at Phoenix would be notified that the warrant for Buck has been withdrawn.

Buck, in Phoenix for his health, was arrested on charges based on Ascap's notification to Montana radio stations and other enterprises that their licenses to play music owned by the society would be withdrawn unless demands for royalty payments were met.

Projectionists Balk Warner Strike Aid

PHILADELPHIA, Feb. 28.—There is no indication here at present that the projectionists' union will go out on a sympathy strike in the musicians' union fight against local Warner houses.

Joseph N. Weber, American Federation of Musicians president, answering last week's demand that Weber take immediate action in the strike, declared that he would rend[illegible]hatever immediate assistance is [illegible]sible at this time.

Whatever that aid may be, A. Rex Riccardi, secretary of Local 77 of the musicians union, indicated today that he is not hopeful that it will mean projectionists will refuse to pass through the musicians' picket lines.

Riccardi disclosed that in the early stages of the strike, by which the musicians are trying to force Warners to use musicians in eight theatres, Weber issued a "road call" but the projectionists refused to walk out. Further local conferences also found the projectionists unwilling to sacrifice their own organization as long as the musicians were still working at Warner houses in other cities.

It was indicated that only in the event of a national musicians' strike against Warner theatres would the projectionists answer a "road call." It was pointed out that a projectionists' sympathy strike would practically cripple that union here, since 85 per cent of the members are employed by Warner Theatres.

Dies Coast Probe Early Next Month

(*Continued from page* 1)

around Chairman Dies' suggestion that any hearings held between now and the November elections be behind closed doors, to prevent the inquiry from having any influence upon the Presidential campaign, but other members contended that there should be no suppression of any situation because of politics.

While Dies has focussed attention on the situation in Hollywood, it is said in other quarters that the film phase has been overplayed and that it will be overshadowed by disclosures of un-American activities of other groups on the Coast.

Four American Films Banned by Australia

MELBOURNE, Australia, Feb. 28.—Cresswell O'Reilly, film censor of the Commonwealth, has banned four American films, "Of Mice and Men," "Each Dawn I Die," "A Child Is Born" and "Hell's Kitchen."

No reason was given for the decision. The banning of "Of Mice and Men" occasioned some surprise among exhibitors, since the stage play recently was presented here without objection.

Lenauer, World in Deal

Distribution rights for Lenauer International's French films have been acquired by World Pictures Corp. Pictures include "Pearls of the Crown," "The Puritan," "They Were Five," "Crime and Punishment," "Mystic Mountain," "Moscow Nights," "Pasteur," "North Sea," "Cover to Cover,' "Frosty Frolics" and "Datelines."

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VOL. 47. NO. 43 NEW YORK, U. S. A., FRIDAY, MARCH 1, 1940 TEN CENTS

Britain to Drop New War-Time Rules on Films

Suspension of Quota law, Other Legislation Seen

London, Feb. 29.—Indefinite postponement of new British quota legislation was authoritatively forecast here today.

It was indicated in reliable quarters that the institution of a new quota with a monetary instead of a footage basis, as has been suggested, is extremely unlikely for considerable time. At the same time, suspension of other phases of film legislation, such as block booking and the like, is anticipated.

At the beginning of the war, the Government decided to continue the present quota for six months, from Oct. 1 to March 31, and during that period to determine what changes, if any, should be made in film legislation in view of war conditions.

With the six-month period nearly expired, there is considerable speculation in trade circles as to what course the Government will follow.

It is believed that, pending a final

(*Continued on page 8*)

Selznick to Preside At Quigley Awards

Hollywood, Feb. 29.—David O. Selznick, Thalberg award winner at tonight's Academy dinner, will be toastmaster at the Quigley Grand Awards presentation at the Victor Hugo Restaurant here on March 12.

The presentation will be made during a luncheon to be given by Martin Quigley for studio heads, stars and directors, in honor of Ray Bell and Lige Brien, winners of the 1939 *Motion Picture Herald-Managers Round Table* competition.

Headquarters of the Awards party, directed by A-Mike Vogel have been established at the Hollywood Knickerbocker Hotel, where the visiting theatremen are to arrive on March 11 as guests of Quigley Publications. A program of entertainment for the winners has been arranged by the welcoming committee of studio publicity heads.

Bell, advertising manager of Loew's Theatre, Washington, D. C., and Brien, manager of Warners Prince Theatre, Ambridge, Pa., were chosen for the year's honors by a voting committee of 35 industry leaders at the Hotel Astor in New York on Jan. 30.

Academy Winners

Hollywood, Feb. 29.—Winners of the various awards, announced tonight at the annual dinner of the Academy of Motion Picture Arts and Sciences, follow:

Most outstanding picture of the year—"Gone With the Wind," Selznick International.

Best performance by an actor—Robert Donat in "Goodbye, Mr. Chips," M-G-M (England).

Best performance by an actress—Vivien Leigh in "Gone With the Wind," Selznick International.

Best performance by an actor in a supporting role—Thomas Mitchell in "Stagecoach," Walter Wanger.

Best performance by an actress in a supporting role—Hattie McDaniel in "Gone With the Wind," Selznick International.

Best achievement in directing—Victor Fleming in "Gone With the Wind," Selznick International.

Best written screen play—Sidney Howard for "Gone With the Wind," Selznick International.

Best original motion picture story—Lewis R. Foster for "Mr. Smith Goes to Washington," Columbia.

Best achievement in art direction—Lyle Wheeler for "Gone With the Wind," Selznick International.

Best achievement in film editing—Hal Kern (supervisor) and James Newcom for "Gone With the Wind," Selznick International.

Best achievement in sound recording—Bernard B. Brown for "When Tomorrow Comes," Universal.

Best achievements in cinematography—Black and white, Gregg Toland for "Wuthering Heights," Samuel Goldwyn; color, Ernest Haller for "Gone With the Wind," Selznick International.

Best achievements in music — Best original score, Herbert Stothart for "The Wizard of Oz," Metro-Goldwyn-Mayer; best scoring, Richard Hageman, Frank Harling, John Leipold and Leo Shuken for "Stagecoach," Walter Wanger; best song, "Over the Rainbow," composed by E. Y. Harburg and Harold Arlen for "The Wizard of Oz," M-G-M.

Short subjects—Cartoons, "The Ugly Duckling," Walt Disney; 1,000 feet or less, "Busy Little Bears," Paramount; 1,000 to 3,000 feet, "Sons of Liberty," Warner Bros.

Special effects—Fred Sersen and E. H. Hansen for "The Rains Came," 20th Century-Fox.

Academy Honors 'Wind,' Robert Donat, Vivien Leigh

Hollywood, Feb. 29.—Highest awards of the motion picture industry were heaped tonight upon David O. Selznick and his precedent-breaking "Gone With the Wind."

The Academy of Motion Picture Arts and Sciences, holding its 12th annual dinner-dance in the Cocoanut Grove of the Ambassador Hotel, not only gave Selznick the Irving G. Thalberg Memorial trophy but also voted his production as the year's most outstanding film.

Robert Donat, star of the British-made "Goodbye, Mr. Chips," was acclaimed for the best acting performance among male stars while Vivien Leigh won the trophy as the queen of actresses for her work in "Gone With the Wind."

Nearly 1,200 persons, jamming every inch of space in the Cocoanut Grove, saw one award after another bestowed upon the Selznick picture. It won the following other distinctions:

Best performance by an actress in a supporting role, best achievement in directing, best written screen play, best achievement in art direction best achievement in film editing, best color cinematography, and a special trophy for the use of color in enhancing dramatic mood.

Selznick was heavily applauded as he received the Thalberg Award, having been voted the outstanding producer of 1939. Darryl Zanuck won the Thalberg trophy the first year and Hal Wallis last year.

Walt Disney continued his domination of the cartoon field, winning this class for the sixth consecutive year.

The assemblage at the Academy dinner-dance included practically every executive of the industry. In

(*Continued on page 8*)

F.C.C. Ruling Is 'Go' Signal To Television

Order Approves Limited Commercialization

Washington, Feb. 29.—The television industry today received the "go ahead" signal from the Federal Communications Commission.

The Commission granted the long-awaited permission for limited commercialization of television programs, effective Sept. 1.

Rules, recommended by its television sub-committee, also were adopted, but the Commission refused to establish any standards for transmission at this time, convinced that the industry is still in its infancy and would be harmed by premature standards.

Under the order sanctioning partial commercialization, advertising will be allowed in connection with television programs. In return for such advertising, sponsors will be permitted to pay the talent cost.

Although W2XBS, NBC's television station in New York, has transmitted limited commercialized programs in cases where the sponsor provided the talent, the F.C.C. order not only gives formal approval to this practice, but also permits television stations to receive payment for the production of the stations' own programs.

The Commission delayed the assignment of permanent frequency channels for television until after the conclusion of the hearings on fre-

(*Continued on page 12*)

Europe Will Relax Bars on Newsreels

By AL FINESTONE

Belligerent governments in Europe, after six months, have promised to relax censorship of newsreels and facilitate the transportation of newsreel films to the United States, according to Truman H. Talley, vice-president in charge of production of *Movietone News,* who returned yesterday on the *Conte di Savoia* from Europe where he spent more than two months.

Talley surveyed the newsreel coverage situation and conferred with high Government officials in Italy, France, England, Holland, Belgium and Switzerland.

Talley went to Europe in an attempt to ease the restrictions imposed on newsreel coverage and the export

(*Continued on page 6*)

Talent Agents Ready to Sign With A.G.V.A.

Talent agents who book vaudeville acts will effect a licensing agreement with the American Guild of Variety Artists within the next 10 days if present negotiations are successful, according to I. Robert Broder, attorney for Artists Representatives Association.

The agreement is expected to aid in a standardization of practices among agents who operate in the vaudeville field. In addition, the union will be aided in its organization drive by the provision that none of the agents may handle any performer who is not an A.G.V.A. member.

The A.R.A. has more than one hundred members, including most of the larger agents. It was organized four months ago and will be recognized as sole bargaining representative for agents by the union, although non-members will be permitted to act as agents if they conform to the standards agreed upon by A.R.A.

A.G.V.A. set up a licensing system about four months ago but it was not very widely accepted and made no provision for commissions and other details. The new agreement will provide for a maximum of 10 per cent to be charged with a downward scale if certain services are not rendered by the agent.

The agents will hold a membership meeting Monday night at the Hotel Edison to consider the proposals.

Ampa Honors, Also 'Ribs' Critic Nugent

Frank Nugent, retiring as film critic of the New York *Times* to join 20th Century-Fox as a writer, was the honor guest and the object of a round of ribbing at the Ampa luncheon yesterday at Jack Dempsey's Restaurant.

With Paul Lazarus, Ampa president, as toastmaster, Arthur Mayer, operator of the Rialto, acted as chief ribber, aided by various other New York critics present. About 125 comprised a large turnout for the organization. Kate Cameron of the *Daily News* spoke for the Film Critics Circle, and Bosley Crowther, Ben Crisler and Tom Prior, Nugent's associates on the *Times*, took a hand in the verbal lambasting.

Other New York critics present were: William Boehnel, Eileen Creelman, Howard Barnes, Irene Thirer and Leo Mishkin. Burgess Meredith spoke briefly.

Bitzer's Condition Same

The condition of B. W. Bitzer, who was considered the film industry's ace cameraman in the silent days, remains unchanged at the St. Luke's Hospital where he is reported gravely ill. Among pictures he filmed was "Birth of a Nation."

20th-Fox Sets Dividend

Board of directors of 20th Century Fox yesterday declared a dividend of 37½ cents per share on the outstanding preferred stock, payable March 30 to stockholders of record on March 15.

◂ Purely Personal ▸

David Bernstein, treasurer of Loew's, Inc., is due Monday from a Florida vacation.

•

Arthur Frudenfeld, Cincinnati Variety Club barker, and Harry J. Wessel, past chief barker, have been named delegates to the national Variety Club convention in Dallas, April 17-20.

•

Jadwiga Smosarska, Polish stage and screen star, appeared in person at the Rialto in New Britain, Conn., in connection with the showing of a Polish film.

•

James Bracken of Warner Theatres, New Haven, and Mrs. Bracken are celebrating their 10th wedding anniversary at Atlantic City.

•

H. M. Richey, director of exhibitor relations for RKO, has returned from Columbus where he addressed the Ohio I.T.O. convention.

•

J. N. McHale, manager of the Oaks in San Francisco, has been elected a director of the Solano Avenue Merchants Association.

•

William M. James, former Columbus, O., exhibitor, and one of the oldest in the state, was operated on for an abdominal ailment.

•

Ceza Herczig, co-author of the script of "Florian," Winfield Sheehan production for M-G-M release, is visiting in New York.

•

Si Seadler, M-G-M advertising manager, is due back at his desk Monday after recuperating from an illness.

•

C. G. Barrett, Warner Theatres New Haven district manager, is in New Haven Hospital with pneumonia.

•

E. M. Hall, technical director of Western Electric, Ltd., London, has arrived here on a leave of absence.

•

Darryl F. Zanuck and his wife leave Hollywood today for a four week's vacation at Sun Valley.

•

Al Lichtman, M-G-M vice-president, has returned to the Coast after a short visit in New York.

•

Aaron Fishman of the Community, New Haven, is in Florida with his family for three weeks.

•

Earl Hendon, M-G-M office manager in Kansas City, observes a birthday tomorrow.

•

David Palfreyman of the Hays office returns Monday from a trip to the Midwest.

•

Peter Prince, booker for M-G-M in Washington, tomorrow celebrates a birthday.

•

Rose Wilder, secretary to Colvin Brown, left yesterday for the Coast on a three-week vacation.

•

Abe Lastfogel of the William Morris office left yesterday for Florida.

•

Grantland Rice, producer of sports subjects, is en route to Miami Beach.

J. J. Milstein, Eastern representative of Edward Small Productions, has returned from conferences on the Coast.

•

George Dembow, Lester Cohen, John Garfield, Toby Gruen, Mort Spring, David Blum, Joseph Rosthal, William Melniker, John D. Hertz, Jr., Robert Milton, Bayard Veiller, Ben Boyar, Charles Sonin and Lee Shubert lunching at Sardi's yesterday.

•

Frank Rubel, vice-president of Pioneer Theatre Corp., Des Moines, has returned with Mrs. Rubel from a two-week vacation in New Orleans and St. Petersburg, Fla.

•

John Justin, player for Alexander Korda, is due from London on the *Washington* Monday. He will go to the Coast immediately.

•

Moe Sanders, office manager at the 20th Century-Fox New York exchange, returns Monday from a Florida vacation.

•

Madeleine Carroll flew to the Coast yesterday on the *Mercury*. Patricia Wilder was also a passenger on the plane.

•

Rosalind Russell arrived from the Coast last night on the *Southerner*.

•

Fred Allen left for Boston yesterday via American Airlines.

•

Buxbaum Honored By Staff at 20th-Fox

Preceding his annual Florida vacation, Harry Buxbaum, Metropolitan district manager for 20th Century-Fox, was tendered a luncheon yesterday at Gallagher's by employes of the company's New York exchange. Buxbaum leaves with his wife by plane Monday for a three-week stay at the resort.

At the luncheon were Harry Buxbaum, Jr., Morris Kurtz, Joseph J. Lee, Abe Blumstein, Seymour Florin, William Shutzer, Joseph St. Claire, Louis Kuttler, George Blanderman, Peter Fishman, Jack Wolf, Herman Reiper and Arthur McManus.

Fairbanks-UA Stock Sale Reports Denied

Reports which circulated throughout the trade yesterday that Constance Bennett had purchased the Fairbanks stock in United Artists and that she was going to produce for that company were described as "bunk" by attorneys for the company.

Before sale of the stock can be made, it has to go through an appraisal of the estate, and such an appraisal has not yet been made. Additionally, the stock must be first offered to the company in the event of its disposal.

738 'Wind' Bookings

With 22 additional "Gone With the Wind" engagements set by M-G-M yesterday, bookings to date total 738 in 683 cities, including those which have terminated. Most of the new bookings are in the Midwest and the South.

Newsreel Parade

Coverage of three wars, Sino-Jap, Finn-Russo and the major war in Europe, is included in the weekend issues. Reels and their contents follow:

MOVIETONE NEWS, No. 50—Infantry maneuvers in New York. Japs bomb Chinese cities. Australian troops sail. Blizzard in Japan. Queen Wilhelmina reviews troops. King George and Queen Elizabeth inspect aircraft plants. British air minister hails Polish fliers. LeBrun visits General Gort. Glider flight in Australia. Lew Lehr. Dodgers in Spring training. Connie Mack prepares for baseball season. Water skiing at Miami.

NEWS OF THE DAY, No. 248—Mine sweepers off British coast. Citizens in patriotic rally in Oregon. New fire extinguisher tested. Blizzard in Japan. Pro title tennis matches. Ski jumps.

PARAMOUNT NEWS, No. 53—Salvation Army relieves famine victims in China. Salvation Army observes anniversary in New York. Chinese aviatrix arrives. Patriotic ceremony in Oregon. Lost and found department of British railway busy with soldiers' belongings. War in Finland. Babe Ruth teaches baseball to Florida children. N. Y. U. basketball team in action.

RKO PATHE NEWS, No. 65—American volunteers in Finland. Hull urges reciprocal trade. Germany barricades Dutch frontier. Sir Victor Sassoon visits U. S. New fire extinguisher tested. Australian troops leave for war. Finn runners in training here.

UNIVERSAL NEWSREEL, No. 854—American ambulances on Finnish front. Mine sweepers off English coast. LeBrun at front. Refugees in China. Test new fire extinguisher in Washington. Smelt run in Washington. Swiss fashions in New York. Dodgers in Spring training. Wrestling in Brooklyn.

$500,000 Fire Hits Paris Pathe Studios

Paris, Feb. 29.—Fire in the Pathe studios southeast of Paris today destroyed seven sound stages causing damages estimated at $500,000. Pathe officials attributed the blaze to a "technical accident." In the stages of production at the studio was "Hitler Told Me" by the former Nazi official in Danzig, Herman Rauschning.

Reisman Off Today For Cuba on Tour

General Manager Phil Reisman of RKO Radio's foreign department will leave today on a tour of inspection of Central American exchanges. His first stop will be Cuba. The RKO Radio executive will be away from New York City for three weeks.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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SPIN OVER to the next page...

Paramount's GIVING US THE AIR . . . AND DO WE LIKE IT!

Yessir, Paramount's really bombarding the ether from coast to coast with those five hit parade leaders from "**Road to Singapore.**" And, what's more, those three money stars, **Bing Crosby, Dorothy Lamour** and **Bob Hope**, are appearing on three of radio's biggest programs (just look at their Crossley ratings and you'll see what we mean) to sell "Road to Singapore" to each and every movie customer in the land!

Here are three of the opening guns in what promises to be the biggest radio build-up any picture ever received . . .

ON THURSDAY, March 14, from 10 to 11 P. M. over 77 NBC Red network stations, Bing Crosby will sing those hit tunes, with a big plug for the picture!

ON TUESDAY, March 19, from 10 to 10:30 P. M. over 63 NBC Red network stations, Bob Hope (assisted by Jerry Colonna) goes to work to sell those hit songs. And from then until release date, Bob will keep punching home the songs and "Road to Singapore!"

ON MONDAY, February 26, from 8 to 8:30 over 65 CBS stations, Dorothy Lamour guests with Tony Martin and Andre Kostalanetz to sing the hits from her biggest hit!

TUNE IN ON THESE PARAMOUNT SALESMEN . . . HEAR THEM GO TO WORK FOR YOU AND YOUR BOXOFFICE!

"ROAD TO SINGAPORE" **Bing Crosby • Dorothy Lamour • Bob Hope**
Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZINGER
Screen Play by Don Hartman and Frank Butler • Based on a Story by Harry Hervey • A Paramount Picture

Hollywood Stars Massing Upon Broadway For Record Spring Rush in Drama Field

Many Coast Celebrities Already in Rehearsals For New York Plays

Hollywood stars will dominate Spring productions in the legitimate theatre.

Already on the Main Stem are Ruth Chatt[illegible], Elliott Nugent, Bert Lahr, Ethel [illegible]rman, Betty Field, Donald Cook, Monte Wooley, and Katharine Hepburn. But the Springtime activity which is going on with an unparalleled pace will bring more than twice this many names from the Coast to Broadway.

Franchot Tone, Lenore Ulric and Katherine Locke will open next week, under the banner of the Theatre Guild, in Ernest Hemingway's "The Fifth Column."

Abbott's Mystery Thriller

George Abbott, who will soon make a film for RKO, has a new mystery thriller opening next week in Baltimore, and on the week following on Broadway. The play is "Goodbye in the Night" by Jerome Mayer.

Vinton Freedley is rehearsing for a revival showing of "Liliom," with Burgess Meredith and Ingrid Bergman. Miss Bergman has been seen in David Selznick's "Intermezzo."

One of the troubled events in the American theatre concerns "A Passenger to Bali," with Walter Huston. The play has been critically assaulted by hinterland reviewers, but will run the Broadway gauntlet, nevertheless, having been revised considerably.

Nita Naldi, one of the glamorous figures of silent film days, is preparing to make a Broadway appearance in "Worth a Million." It is a British farce.

Flora Robson, after successful recent performances in such pictures as "Wuthering Heights" and "A Man to Remember," is also heading for Broadway. She will appear in Gilbert Miller's production, "Ladies in Retirement."

Onslow Stevens, too, has a Broadway berth in "The Burning Deck." Gladys George is returning from Hollywood to start rehearsals in "Lady in Waiting" for Brock Pemberton.

Three Stars in Musical

Simone Simon, Mitzi Green and Mary Brian are determined to wind up on Broadway with their musical, "Three After Three," which has been touring so long. Others in the cast are Jack Whiting, Stepin Fetchit and Art Jarrett. The date, however, is still uncertain.

Marc Lachman, who used to be at Universal, and more recently with the show, "DuBarry Was a Lady," has parted company with that play, and the musical now has a new press agent.

Add the name of Vincent Sheehan to those of Ernest Hemingway and Dorothy Thompson in the niche of new Broadway playwrights. Miss Thompson's effort, "Another Sun," met with extreme critical scorn. Sheean's play which will shortly go into rehearsal is "An International Incident," a comedy. Ethel Barrymore will be starred.

Incidentally, since Elaine Barrie joined her husband, John Barrymore in the latter's show, the play has not been doing big.

William Saroyan whose "The Time of Your Life" has kept Eddie Dowling and Julie Haydon busy all season, has a new play soon going into rehearsal. Jessie Royce Landis has the principal role.

Broadwav is excited over Dwight Wiman's production of Rodgers and Hart's "Higher and Higher," which is now in rehearsal and will bring Jack Haley, Marta Eggert and Shirley Ross to the Shubert Theatre on April 3. This is the piece which was originally intended for Zorina and concerns the annual Butler's Ball.

Another exciting piece of news is that Alfred Lunt and Lynn Fontanne are on their way to town in a new play, altogether unusual for this time of the year. The play is "Revelation" by Robert Sherwood.

Also that Jimmy Durante, Ray Bolger, Una Merkel and Alexander D'Arcy will be in "Louisiana Purchase," a new musical with music by Irving Berlin.

It has been intimated that Joe Cook and Patsy Kelly will be in Leonard Sillman's "New Faces."

Ohio ITO Reelects Officers

Columbus, O., Feb. 29.—Officers and directors of the I.T.O. of Ohio were re-elected today at the closing sessions of the annual convention here. Those renamed follow:

Martin G. Smith, Toledo, president; Frank W. Huss, Cincinnati, and Robert Menches, Akron, vice presidents; Roy Simons, Washington Court House, elected treasurer to replace M. B. Horwitz, Cleveland, who resigned last year.

Re-elected directors: John D. Kalafax, Cleveland; Nat B. Charnas, Toledo; Harold Bernstein, Norwood; Max Stearn, Columbus; Caldwell H. Brown, Zanesville; L. F. Eich, Martins Ferry; Dwight Jones, Jackson; J. W. Trunk, Youngstown; Joseph Stern, Ironton; Jerome M. Steel, Oberlin.

New directors include Charles Deckman, Cleveland, and Leo Kissell, Lancaster.

The constitution and bylaws were amended, reducing the size of the nominating committee from 15 to seven members to be appointed by the president and approved by the directors. Also associate memberships will be accepted from non-active members.

Max Rosenberg, president of the Western Pennsylvania Allied, spoke today. During an open forum discussion, many members contended that the majors are not living up to their sales policy promises and that most companies are forcing shorts and newsreels despite claims to the contrary.

The I.T.O. adopted a resolution to inform the major companies that the exhibitors disapprove any deviations from promised policies.

P. J. Wood is scheduled to be reappointed secretary of the I.T.O. by the board.

Deny Trust Charges In Philadelphia Suit

Philadelphia, Feb. 29. — The Warner Theatre Circuit and the major distributors late yesterday filed an answer in the U. S. District Court, denying all allegations to the charges of the Admiral Theatres in an anti-trust suit instituted against them on Jan. 3.

A separate answer was filed for Robert Lynch, local Metro exchange manager, denying that he allegedly reniged in a deal to purchase the Admiral through Frederick Gladdeck, his son-in-law.

The suit, filed by Rubin Shapiro and Harub Amusement Corp. operating the Admiral, asks for triple damages of $225,000. No date has been set for a rehearing.

Denies Film Deals on 'Tobacco Road'

"Tobacco Road," Jack Kirkland play which is in its seventh year on Broadway, is not for sale to film companies, according to Harry Oshrin, co-producer of the play with Kirkland.

Oshrin denied reports that Warners and 20th Century-Fox had purchased the play for film production. He said that the producers will not sell the film rights until the play runs its course, which, he said, "will be in another year or another 10 years."

Wallis, Warner Talk On Spring Schedule

Hollywood, Feb. 29.—Stories, associate producer and directorial assignments and starting dates for Spring production will be set at a series of conferences between Hal B. Wallis, Warner executive producer, and Jack L. Warner, which started today upon Wallis' return from New York.

Theatre Notes

Elton to Reopen Soon

The Elton in Brooklyn will reopen within four weeks under Brandt supervision.

Brandt Acquires Circle

Harry Brandt has acquired the Circle now being constructed at Utopia Parkway and 16th St., Long Island.

Brooklyn House Closes

The Comet, 600-seat theatre at 856 Gates Ave., Brooklyn, has closed.

Catholics Pick Full Committee Of Film Chiefs

The 1940 Catholic Charities Drive will begin on Sunday. The Motion Picture and Amusement Committee, of which John J. O'Connor, operating head of RKO Theatres, is chairman, has been completed. The full personnel of the committee follows:

Jack Alicoate, *Film Daily;* Nate J. Blumberg, Universal Pictures; Major Edward Bowes; Harry Brandt, Brandt Theatres; Harry Buckley, United Artists; Pat Casey; Max Cohen, Cinema Circuit; H. M. Doherty, Warner Brothers; Col. William J. Donovan, Donovan, Leisure, Newton & Lumbard; Si Fabian, Fabian Theatres; John C. Flinn, *Variety;* J. R. Grainger, Republic Pictures; Al Hovel, Century Circuit; W. Ray Johnston, Monogram Pictures; John Kane, Columbia Pictures; Maurice Kann, *Boxoffice;* Austin C. Keough, Paramount Pictures; Joseph McConville, Columbia Pictures.

Also Charles B. McDonald, RKO Theatres; Willard S. McKay; Joseph P. McLaughlin, Paramount Pictures; Joseph E. McMahon, Consolidated Film Industries; William C. Michel, 20th Century-Fox; William Morris, William Morris Agency; John Murphy, Loew's, Inc.; Senator William J. Murray, Hayes Printing Co.; Leon Netter, Paramount Theatres; Dennis F. O'Brien, O'Brien, Driscoll & Raftery.

Also, John O'Connell, Republic Pictures; Charles L. O'Reilly, Sanitary Automatic Candy Corp.; Jack Pegler, Lord & Thomas; P. A. Powers; William T. Powers, National Theatres; Martin Quigley, Quigley Publications; Charles Reagan, Paramount Pictures; Phil Reisman, RKO Radio Pictures; Sam Rinzler, Randforce Amusement Co.; Herman Robbins, National Screen Service; W. F. Rodgers, Metro-Goldwyn-Mayer Pictures; George J. Schaefer, RKO; William A. Scully, Universal; Gradwell Sears, Warner Brothers; George Skouras, Skouras Theatres; Spyros Skouras, National Theatres; W. G. Van Schmus, Radio City Music Hall; Frank C. Walker, Comerford Theatres, and George Walsh, Netco Theatres.

Council Reconsiders Support of Neely Bill

Louisville, Ky., Feb. 29.—The Better Films Council of Louisville and Jefferson County today voted to reconsider its earlier action in endorsing the Neely bill, now pending in the House.

The council's action was taken after Mrs. Harry E. Sibley, president, heard George N. Hunt, Jr., manager of Loew's, present the opposition's views on the measure.

Date Garfield Play

"Heavenly Express," Albert Bein play which will star John Garfield, Warner contract player, will open March 23 in Princeton, N. J., and will remain on the road. Kermit Bloomgarden, business manager of the Group Theatre, producer, plans a Broadway opening next Fall.

Sales Parleys Set by Metro And Warners

Warners are planning a national sales convention for early in June, and M-G-M plans to forego a national convention in favor of regional meetings of district and branch managers late in March.

Plans of both companies are indefinite at present, and are being held up pending future developments. Gradwell L. Sears, general sales manager of Warners, is scheduled to be examined March 11 in the Government anti-trust suit and Harry M. Warner, president of the company, will arrive from the Coast late in March. A definite date for the convention is expected to be arrived at by that time.

Distribution of "Gone With the Wind" will have a bearing on the dates for the M-G-M sales meetings. William F. Rodgers, general sales manager of M-G-M, who is expected from Chicago over the weekend, held a regional sales meeting in San Francisco early this week.

Those attending were George Hickey, district manager, and branch managers from Los Angeles, San Francisco, Portland, Seattle and Salt Lake City.

'Wind' Continuing Pace in Milwaukee

MILWAUKEE, Feb. 29.—Still leading the parade, "Gone With the Wind" grossed $21,300 in its fourth week at Fox's Palace. The Dead End Kids at the Riverside with the film, "My Son Is Guilty" drew $9,000.

Estimated takings for the week ending Feb. 22:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (75c-$1.10-$1.65) 7 days. 4th week. Gross: $21,300. (Average, $4,000)
"My Son Is Guilty" (Col.)
RIVERSIDE—(2,700) (30c-35c-40c) 7 days. Stage: Dead End Kids. Gross: $9,000. (Average, $6,500)
"Little Old New York" (20th-Fox)
"The Man Who Wouldn't Talk" (20th-Fox)
STRAND — (1,400) (25c-35c-50c) 7 days. Gross: $1,400. (Average, $1,500)
"Raffles" (U.A.)
"The Invisible Man Returns" (Univ.)
WARNER — (2,400) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $4,500)
"I Take This Woman" (M-G-M)
"Young As You Feel" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $5,600. (Average, $5,500)

Oklahoma City Gives 'Wind' Good $5,700

OKLAHOMA CITY, Feb. 29.—"Gone With the Wind" continued its lead in the fourth week at the Tower, taking $5,700.

Estimated takings for the week ending Feb. 22:

"The Fighting 69th" (W.B.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,800. (Average, $4,500)
"Call A Messenger" (Univ.)
"Tropic Fury" (Univ.)
LIBERTY — (1,200) (15c-20c-25c) 7 days. Gross: $2,700. (Average, $2,400)
"Remember the Night" (Para.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,150. (Average, $4,000)
"The Hunchback of Notre Dame" (RKO)
PLAZA — (1,100) (20c-25c-40c) 7 days. Gross: $1,400. (Average, $1,100)
"The Lone Wolf Strikes" (Col.)
STATE — (1,100) (20c-25c-40c) 7 days. Gross: $2,700. (Average, $3,000)
"Gone With the Wind" (M-G-M)
TOWER — (1,000) (75c-$1.12) 7 days, 4th week. Gross: $5,700. (Average, $1,750)

Kuykendall Sees Industry Harmony Via Conciliation

COLUMBUS, Miss., Feb. 29.—Ed Kuykendall, president of the M.P.T.O.A., reiterated today the stand of his organization in favor of conciliation machinery to settle industry differences.

His statement follows the disclosure that conciliation boards have been successful in Ontario and Nova Scotia.

Kuykendall told MOTION PICTURE DAILY:

"The M.P.T.O.A. has long been on record as favoring conciliation. It must eventually come about if we are to have peace in this industry.

"I hope that the small minority which has opposed everything conciliatory, including the proposed trade practice code, is sincere in its expressed desire for it now." Kuykendall referred to the resolution adopted at the annual meeting of national Allied directors in Washington in January which urged the industry to adopt an arbitration system.

Kuykendall continued:

"The M.P.T.O.A. will cooperate with all elements of the industry in an effort to bring about trade practices that are beneficial to all exhibitor interests.

"Lawsuits and Government prosecutions and interference will wreck us. Let's do something," he said.

Europe to Relax Newsreel Censorship, Reports Talley

(*Continued from page 1*)

of film. As a result, he said:

"Censorship will be less strict in France, England and Germany, and there will be fewer hindrances for the newsreels. I believe that from now on the newsreels in America will get better coverage and more footage."

Talley refused to disclose the specific agreements concluded with the governments pending a conference which he will have with the editors of the other four American newsreels next week. The agreements he made, he said, are for the newsreels as a whole.

Transportation Difficulties

Severe censorship and difficulties of getting films out of the belligerent countries have been major obstacles for the newsreels since the start of the war last September.

As one of the results of his conferences, Movietone News will not be obliged to provide the other newsreels with its films, Talley said. Heretofore, the reels which have had representatives in the warring countries have been compelled by the Ministries of Information to provide prints of censored material to the others. A definite arrangement will be worked out here, Talley said.

Premier Daladier of France arranged for Talley and Russell Muth, Central European director of Movietone News to tour the Western Front. Talley saw much action and brought back considerable film which will be incorporated in Movietone releases. He also brought back about 200 stills of Maginot Line action.

What he sought to impress on the Government officials, Talley said, was that the newsreels are interested in factual coverage and not propaganda.

He said Sir John Reith, recently appointed British Minister of Information, was entirely sympathetic to this viewpoint and agreed that newsreel films must be objective, with "slants" favoring either belligerent side being avoided.

Audience With Pope XII

Talley had private audiences with Pope Pius XII at the Vatican and Premier Mussolini of Italy. He will inform Sidney R. Kent, president of 20th Century-Fox, of the American companies' position generally in Europe.

Talley crossed the English Channel four times by air and once on a British troop ship. He reports that Bonney Powell, Movietone cameraman on the Finnish front, suffered injuries while at Lake Ladoga.

Edmund Reek, general manager of Movietone News; Tony Muto, Washington representative, and A. A. Brown of Talley's staff boarded the ship down the bay to greet their chief.

Mexico Notes

MEXICO CITY, Feb. 29.—Mexico's first sound studio, La Nacional here, which has been functioning since 1931, has been condemned by the Municipal Government because it needs the land upon which it is situated for a boulevard. The owners have been compensated for the property. The studios are to be razed next month.

Convinced of the advantages of education, the National Cinematographic Workers Union is establishing a general and technical school in its headquarters here for its members and ther kin.

Novels Lead as Film Material

Hollywood, Feb. 29.—Hollywood appears to be turning more to the novel as a source of film material. Already released since the start of 1940, or planned for release during the year, are about 60 pictures based on novels, from 10 studios.

Heading the list is RKO, with 18, followed by Warners, with 11, M-G-M, nine, and Paramount, eight.

Pre-Trial Talk On Trust Facts Sought by U.S.

Fixing of a pre-trial conference date for attorneys to simplify issues and to substantially shorten the trial of the New York anti-trust suit will be asked of Federal Judge Goddard on March 5 by the Government, a notice served upon attorney[illegible]r the majors stated yesterday.

The application will be made simultaneously with one by the Government for an order regulating interviews of Government witnesses by the defendants.

A comprehensive stipulation covering trade conditions, practices and statistics in the industry which attorneys for majors will be asked to sign at the pre-trial conference was annexed to the notice.

The 49-page stipulation also sets forth a history of the suit and alleged general conditions in the motion picture industry at present. The Government contends in the stipulation that admitted facts on organization and operations in the trade could be agreed upon at the conference.

The Government will seek to discuss with the majors a description of the defendants and their organizations; the history and a description of the industry; interstate commerce carried on in the trade; the offenses charged against the majors; and trade practices, the notice stated.

The proposed stipulation calls for discussion and agreement upon such statistics as the number of pictures released by each distributor for some of the recent seasons and the name and location of first run houses of the five producer-exhibitors in key cities.

Attorneys for the majors will be asked to specify that the defendants are engaged in interstate commerce; that the majors have under contract the most valuable stars and technicians; and that the defendants have not competed with each other in the same areas.

Admissions will be sought that the majors have integrated the production, distribution and exhibition branches of the industry; that independent exhibitors cannot successfully operate without major product; and that first run houses require quality pictures.

Pooling agreements between majors and alleged discrimination in the sale of product are covered. Long term franchises among the majors in the exhibition field and the percentage of films used in affiliated houses from major producers are included in the stipulation's provisions.

Government to Use 'Almanac' at Trial

The Government yesterday cited the *Motion Picture Almanac* as the basis for certain of its statistical charts which will be presented at the trial of the anti-trust suit. Notice was given to attorneys for the majors that they will be asked to admit the accuracy of these figures at the proposed pre-trial conference.

They're off... in a cloud of GOLD DUST!

If it's a PARAMOUNT PICTURE...it's the best show in town!
17-00

In its first engagements, Paramount's "SEVENTEEN" proves it belongs right up there with the big ones!

New York Paramount: "SEVENTEEN" crashes through with record-breaking business...in spite of snow and sleet!

Little Rock: "SEVENTEEN" runs ahead of "Remember the Night"

Houston: "SEVENTEEN" runs ahead of "Jamaica Inn"

Memphis: "SEVENTEEN" runs even with "Beau Geste"

Dallas: "SEVENTEEN" runs ahead of "Victor Herbert" and "Geronimo!"

Phoenix: "SEVENTEEN" runs ahead of "Remember the Night"

Salt Lake City: "SEVENTEEN" runs neck and neck with "The Great Victor Herbert"

Jackie Cooper and Betty Field in "SEVENTEEN"

with Otto Kruger · Betty Moran · Directed by Louis King · Screen play by Agnes Christine Johnston and Stuart

Creditor Fight Over Trustee Of Educational

Creditors of Educational Pictures, Inc., clashed over the election of a trustee for the company at a first meeting held yesterday before Referee John E. Joyce.

Selection of a trustee, which carries with it control of the liquidation of Educational, was postponed to March 5 by Referee Joyce to allow him time to pass on an objection to a claim of $964,000 filed by Harry Fromberg as trustee of Grand National Pictures.

Fromberg, on the strength of his claim, nominated Sidney Abrams as trustee. Erpi, Lloyd Wright and the law firm of Snider, Duke & Landis, named James A. Davidson, Educational receiver, in opposition, at the same time applying for an order disqualifying G.N.'s claim as unliquidated in amount.

Proof of claim filed by Fromberg, which came as a surprise to creditors, was based on a charge that Educational had violated a contract with G.N. under which it had purchased 1,100,000 shares of G.N. stock in return for the major share of Educational's assets.

Fromberg contended at the hearing that the actual assets turned over to G.N. totalled $46,000 in value. The claim seeks the difference between the nominal value of the stock and the value of the assets transferred to G.N., it was stated.

A hearing on G.N. bankruptcy proceedings also was held yesterday before Referee Peter B. Olney, Jr., when the attorney for the G.N. trustee questioned Harold Saxe, George Blake, Edmund V. Halley and Sidney Abrams on loans made to the company.

Britain to Drop New Rules for Industry

(*Continued from page* 1)

decision on the quota situation, the interim period will find either the retention of the present quota or some sort of retroactive legislation. The latter would take care of unfilled quotas as a result of the virtual cessation of British production because of the war.

It is believed that the latter method is the more likely, especially in view of the recent Films Council decision that only films fulfilling the stipulations of the present quota could be financed by the proposed Film Credit Bank.

Swing in Church

Youngstown, O., Feb. 29.—The solemn silence of the congregation listening to the pastor's sermon at downtown Trinity Methodist Church was rudely shattered when the church's electric organ suddenly began emitting swing music.

Investigation developed that the instrument had picked up the music from Station WFMJ, whose antenna is located near the church.

New Films Open Strongly

New films along Broadway opened strong this week despite several days of bad weather.

"The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker's band on the stage got off to a good start with an estimated $49,000 for its first week. It is held over and may go three weeks.

At the Music Hall, "Abe Lincoln in Illinois," with stage show, drew an estimated $82,000 and is also remaining. The opening day of "Seventeen" at the Paramount, with Glenn Miller's band on the stage, grossed an estimated $8,500.

"The Blue Bird" starts a popular price run at the Roxy today. "Of Mice and Men," plus a stage show, drew an estimated $33,000 in its second week.

"Castle on the Hudson" opens tomorrow at the Globe. "The Marines Fly High" is due at the Rialto on Monday. "It's a Date" is scheduled to follow "Grapes of Wrath" at the Rialto late this month while "Three Cheers for the Irish" is booked for the Strand for either March 8 or 15.

After an 11 and a half week run for "Gone With the Wind" at the Capitol, "Northwest Passage" bows next Thursday.

Academy Honors 'Wind,' Robert Donat, Vivien Leigh

(*Continued from page* 1)

the crowd was a working press of more than 60 writers who covered the event for trade papers, dailies and syndicates.

There was no broadcasting of the event and radio stations were not permitted to announce the Academy winners until 11 P. M. Newsreels agreed not to shoot the event, relinquishing exclusive rights to Warner Bros. which is producing a short on Academy winners, present and past.

Walter Wanger presided at the dinner, being introduced by Frank Capra, whom he succeeded as president of the Academy. Wanger said, in part:

"There is no better medium than motion pictures to spread what we proudly call 'the American Way.' Do not forget that America has no comparable representative and moreover should be proud of the manner in which you have represented this democracy."

Winners of special awards other than the Thalberg trophy are as follows:

Commemorative trophy for Douglas Fairbanks, Sr., first president of the Academy, awarded to his family. The statuette was accepted by Douglas Fairbanks, Jr.

Statuette to Technicolor Co. for bringing three-color feature productions to the screen.

Plaques to the following for their services to the Motion Picture Relief Fund: Jean Hersholt, president of the Fund; Ralph Morgan, chairman of the executive committee; Ralph Block, first vice president, and Conrad Nagel, who presides at the Gulf Oil Co. Sunday radio show which benefits the Fund.

Miniature trophy to Judy Garland, judged as the most outstanding screen juvenile.

Trophy to William C. Menzies for his contribution in the use of color to enhance the dramatic mood in "Gone With the Wind."

Eighteen individuals and eight corporations were honored for technical and scientific achievements. No major award calling for a gold statuette, which has been bestowed only five times since inception of the academy, was given.

Winners of various achievement awards follow:

George Anderson of Warners for improved positive head for sun arcs.

John Arnold of MGM for mobile camera crane.

Thomas T. Moulton, Fred Albin and sound department of Goldwyn Studios for origination and application of Delta decibel test to sound recording.

Emery Huse and Ralph B. Atkinson of Eastman Kodak for their specifications for chemical analysis of photographic developers and fixing baths.

Fairciot Edouart, Joseph E. Robbins, William Rudolph and Paramount for design and construction of quiet portable treadmill.

Harold Nye of Warners for miniature incandescent spot lamp.

A. J. Tondreau of Warners for design and manufacture of improved sound track printer.

In omnibus citation for contributions in cooperative development of new improved process projection equipment, the following were named:

F. R. Abbott, Haller Belt, Alan Cook and Bausch and Lomb Optical Co. for faster projection head.

Mitchell Camera Co. for new type process projection head.

Mole-Richardson Co. for new type automatically controlled projection arc lamp.

Charles Handley, David Joy and National Carbon Co. for improved and more stable high intensity carbons.

Winton Hoch and Technicolor Motion Picture Corp. for auxiliary optical system.

Don Musgrave and Selznick International for pioneering in use of coordinated equipment in "Gone With the Wind."

Warners Produce Subject on Awards

Hollywood, Feb. 29.—Warners are making a two-reel film on the Academy Awards, under a contract closed between Jack Warner and Academy representatives. The Academy will receive $30,000, and Gordon Hollingshead, head of the Warner shorts department, is producer.

The film, under the directorial supervision of Frank Capra, aided by Carey Wilson and Jack Chertok, is from a script by Owen Crump. Academy winners since the first in 1928, will be presented, in addition to tonight's Awards banquet.

Open 20th-Fox District Sales Parley Today

Annual conference of district sales managers of 20th Century-Fox begins today at the Park Central Hotel, with Herman Wobber, general manager of distribution, presiding.

The company's sales policy for the 1940-'41 season will be dis[illegible]ed at the two-day meeting. Pr[illegible]minary plans will be set for the annual sales convention, which will be held at the Congress Hotel in Chicago early in April.

Among those who will attend the meetings are the following: District Managers Tom H. Bailey of Boston, Edgar Moss of Philadelphia, George A. Roberts of Cleveland, J. P. O'Loghlin of Canada, M. A. Levy of Minneapolis, Harry G. Ballance of Atlanta, and Ward E. Scott of Kansas City; Branch Managers Harry H. Buxbaum of New York, Clyde W. Eckhardt of Chicago, Lester Sturm of Detroit, George Landis of Indianapolis, and Jack Lorentz of Milwaukee and Branch Sales Manager Joseph J. Lee of New York.

The home office delegation will include Overseas Sales Manager Walter J. Hutchinson, Division Sales Managers W. J. Kupper, W. C. Gehring and William Susman; Charles E. McCarthy, director of advertising and publicity; William J. Clark, short subject sales manager; Jack Bloom, contract department manager; Martin J. Moskowitz, Jack Sichelman, Roger Ferri, editor of the *Dynamo;* C. A. Hill, E. H. Collins, Ted Shaw, Irving Maas, Leslie Whelan, Harvey Day and others.

Use Films to Better Georgia's Farming

DALTON, Ga., Feb. 29.—Education of farmers through the use of motion pictures and exhibits is being tried out in 13 northern Georgia counties. The novel means to improve farming practices attracted some 30,000 spectators in Whitfield County alone last year after it had been introduced by B. M. Drake, Whitfield agent.

This widespread interest and similar results in Walker and Catoosa Counties prompted the extension service to provide better equipment, more films and put Drake in charge of the expanded project which will include these three counties, plus Union, Dade, Gordon, Chattooga, Floyd. Murray, Towns, Fannin, Rabun and Gilmer.

Wellman Only 11

Hollywood, Feb. 29.—Producer-Director William A. Wellman today celebrated his eleventh birthday by attending the Academy Awards dinner. Wellman was born Feb. 29, 1896, and, being a "leap year baby," gets a birthday only once every four years. Ill since he finished "The Light That Failed" Wellman has been resting while awaiting the start of his next Paramount picture, "The City That Never Sleeps."

NORTHWEST

Beats "Boys Town"
in Philadelphia

Beats "Boys Town"
in Harrisburg

Beats "Boys Town"
in Hartford

Beats "Boys Town"
in Boston

PASSAGE

"NORTHWEST PASSAGE" (Book I—Rogers' Rangers) in Technicolor · Starring **SPENCER TRACY** with Robert Young, Walter Brennan, Ruth Hussey, Nat Pendleton · Screen Play by Laurence Stallings and Talbot Jennings · Based on the Novel by Kenneth Roberts · Directed by King Vidor · Produced by Hunt Stromberg · An M-G-M Picture

Beats "Boys Town"
in Bridgeport

Beats "Boys Town"
in New Haven

Beats "Boys Town"
in Waterbury

Equals "Boys Town"
in Springfield

Beats "The Women"
in Louisville, Salt
Lake, St. Paul.

Beats "The Women"
in Spokane, Seattle,
San Francisco

Equals "The Women"
in Minneapolis,
Chicago

Beats "The Women"
in Reading, Canton,
Worcester, Columbus

TERRIFIC!

(Extra Time, of Course!)

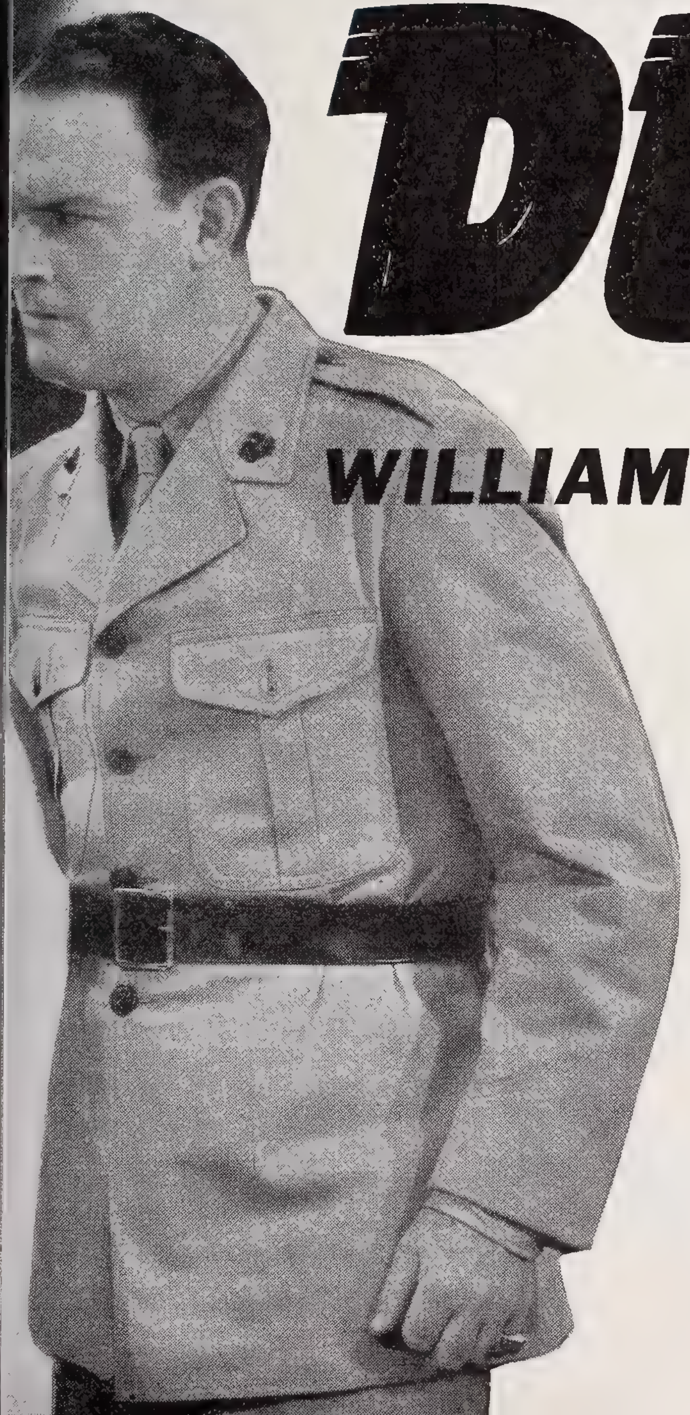
TWO MARINES AND A

Trapped in a tropic wilderness o
ages . . Dark Secrets! A lark that a
her life . . Society girl stirs up hornet'
runners . . and it's . . MARINES to th

GIRL!

hite Sav-
ost costs
est of gun-
escue!

ISLE OF DESTINY



with

WILLIAM GARGAN • WALLACE FORD
JUNE LANG • GILBERT ROLAND
ETIENNE GIRARDOT • KATHERINE DeMILLE... A FRANKLYN WARNER PRODUCTION

Directed by Elmer Clifton

Screen Play by Arthur Hoerl, M. Coates Webster, Robert Lively. From original story by Allan Vaughn Elston. Distributed by RKO RADIO PICTURES, Inc.

RKO RADIO PICTURES

A FINE ARTS PICTURE

Photographed in

COSMOCOLOR

Leaders Urge Industry Back Exhibit at Fair

A residue of $70,000 remaining from the Motion Pictures Greatest Year campaign of last year has been suggested by industry executives as a nucleus for a fund to be used for a motion picture industry exhibit at the World's Fair, which will reopen May 1 for a second year.

However, executives of film companies which participated in the campaign have been advised that the money remaining will be returned to the participants in the ratio to which they contributed.

Harvey D. Gibson, chairman of the board of New York World's Fair Corp., has presented a plan to the Hays office whereby the major film companies would sponsor an exhibit at the Fair this year. A committee consisting of five of the companies has been formed to study the suggestions and report to the Hays office.

Rites for Finestone

Funeral services are to be held at 2 P. M. today at the Riverside Memorial Chapel for David Finestone, 55, theatrical man associated with the Shuberts for the past 35 years, who died on Wednesday. Burial follows at the Fairview Cemetery, New Jersey. Among the survivors is a daughter, Emily Maud Finestone, a secretary at the film booking department of Warner Theatres.

'Go Ahead' Signal Given Television

(*Continued from page* 1)

quency modulation. These hearings start on March 18.

In declining to establish the standards for telecasting at 441 lines, the F.C.C. declared that the "evidence before the Commission reveals a substantial possibility that the art may be on the threshold of significant advantage."

Two classes of television stations are created. Class One stations will be purely experimental and may be assigned more than one channel. Class Two stations will be permitted to produce programs and will operate on one channel only.

Television Officials in N. Y. Hail F.C.C. Decision

Television officials in New York late yesterday enthusiastically received the news of the "go ahead" signal from the Federal Communications Commission.

Officials, however, preferred not to be quoted on the matter until they had studied the full text of the decision.

It was recalled that RCA had recently declared that it would build relay stations for a television network in the East if limited commercialization were granted by F.C.C.

Officials of the Allen B. Dumont Laboratories, who fought the fixing of standards at 441 lines, commented on the F.C.C. order as follows:

"It is a fine thing for television not to have any standards established until the art is more fully defined and until commercialization is possible."

DRUMS OF FU MANCHU
Suggested by stories by
SAX ROHMER
with
HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
"How do you like my little device, Mr. Parker? Ingenious, don't you think? You speak glibly of death. I trust you meet it with equal ease."
A Republic SERIAL IN 15 CHAPTERS

Sport Events By Television For Theatres

By EDWARD GREIF

Madison Square Garden Corp. is permitting the telecasting of its major sporting events on an experimental basis, aiming at the eventual use of the telecasts in the theatres of the country.

John Reed Kilpatrick, president of Madison Square Garden Corp., who has opened the Garden to NBC for the television experimentation, sees the possibility that the regularly televised sporting events may eventually replace the double feature in many situations. At the same time the telecasts are expected to increase interest in the sports.

The executive made it clear that he has invited NBC to experiment with a view to having neighborhood theatres licensed to exhibit the television shows. As soon as television sets are sold in large numbers, the permission will be withdrawn, he said.

Instead of permitting a general telecast at such time, Kilpatrick will insist that his shows be sent out by wire or by means of a device which "scrambles" the signal with special receivers in theatres to "unscramble" them. Kilpatrick is of the opinion that theatres could build up a steady audience for regular hockey games, basketball, track meets and similar events. In the case of championship boxing bouts, higher admission prices could be charged by exhibitors, Kilpatrick believes, and he expects that this will result in revenue for the Garden, theatres and the television station.

At present, the Garden permits telecasting of many of its events. The program for next week has an amateur hockey game on Sunday, the "Golden Gloves" boxing bouts on Wednesday, a professional hockey game on Thursday and the Knights of Columbus track meet on Saturday. Since the start of the General Electric station in Schenectady several weeks ago, the NBC programs are being re-telecast for the up-State area, making these sporting events available over an area of 150 miles in New York State.

RCA has developed a large screen receiver suitable for use in theatres and has already demonstrated it for the Federal Communications Commission, with a public demonstration expected shortly.

Hearing on Revoked Licenses Set by FCC

WASHINGTON, Feb. 29.—The Federal Communications Commission today assigned Commissioner Payne to hold hearings in Texas at Austin and Dallas from March 5 to 14 on its recent order revoking the licenses of six broadcasting stations. The licenses were revoked for misrepresentations alleged to have been made in their applications.

Acquires French Film

French Cinema Center, Inc., has closed a deal with Variety Film Distributors for exclusive distribution in the United States of the French film, "Heroes of the Marne," starring Raimu.

Radio Brevities

CBS has obtained a sponsor for three of its daily evening news roundups from the important news centers of the world. Sinclair Oil Refining Co. will sponsor the period on Mondays, Wednesdays and Fridays, beginning April 3, over 72 CBS stations.

Heard on the show are Edward R. Murrow and Earland Echli[illegible]om London; William L. Shirer and Russell Hill, Berlin; Cecil Brown, Rome; Eric Sevaried and Thomas Grandin, Paris; Larry LeSeur, with the Royal Air Forces in France; Marvin Breckenridge, Amsterdam; Edwin Hartrich, Helsinki; Frank Stevens, Bucharest; W. R. Wells, Tokio; Albert Warner, Washington; and Elmer Davis and Bob Trout, New York.

Personalities in the News

Secretary of Agriculture Wallace and Postmaster General Farley will join President Roosevelt in a radio message to farmer groups over the networks next Friday. . . . Myrtle Vail, of "Myrt & Marge" has flown down to Florida for a six-day vacation. . . . Gene Autry will be guest of Al Pearce over CBS next Wednesday at 8 P. M.

Artie Shaw is reported to have been offered a new radio spot by a soft drink sponsor. . . . Rudy Vallee, who will be unable to attend the coming convention of the National Dairy Products because of commitments in Hollywood, is making a short film for use at the meeting. . . .

Benay Venuta ends two years as conductor of a variety show over Mutual on Sunday with her final program featuring Sigmund Spaeth. Miss Venuta is now devoting all her time to the George Jessel show. . . . Joseph Stopak, NBC orchestra leader, became the father of twins Wednesday.

Telecast of "King of Kings"

One of the most discussed films of the silent era, Cecil B. DeMille's "The King of Kings," will be presented on television on Easter Day. NBC has purchased the right to telecast the film from Cinema Corp. of America. A sound score has been added.

Program News

Andrew Jergens Co. has renewed the "Hollywood Playhouse," effective April 3 over 60 NBC-Red stations. The show will continue to feature Charles Boyer with different guest artists each week. . . . Edgar Bergen brings his Chase & Sanborn show to New York for the March 17, 24 *and* 31 *programs.*

Pickpocket's Kindness

The pickpocket who stole Milton Cross's wallet Wednesday took the NBC announcer at his word, keeping the cash and returning the rest of the contents.

After Cross became aware of his loss, he appealed to the light-fingered gentleman to return a prized crayon portrait of Cross's daughter, Lillian Gale, who died at the age of eight in 1935. Yesterday, postal authorities notified Cross that his wallet had been found in a letter box. Contents were intact—minus the cash!

UNRIVALED PERFORMANCE

NO wonder cameramen place full confidence in Eastman's three negative films. They know that each offers specialized ability to meet modern production demands. Even more important, they know that every foot will have the same high quality, the same unvarying dependability. Eastman Kodak Co., Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

PLUS-X
for general studio use

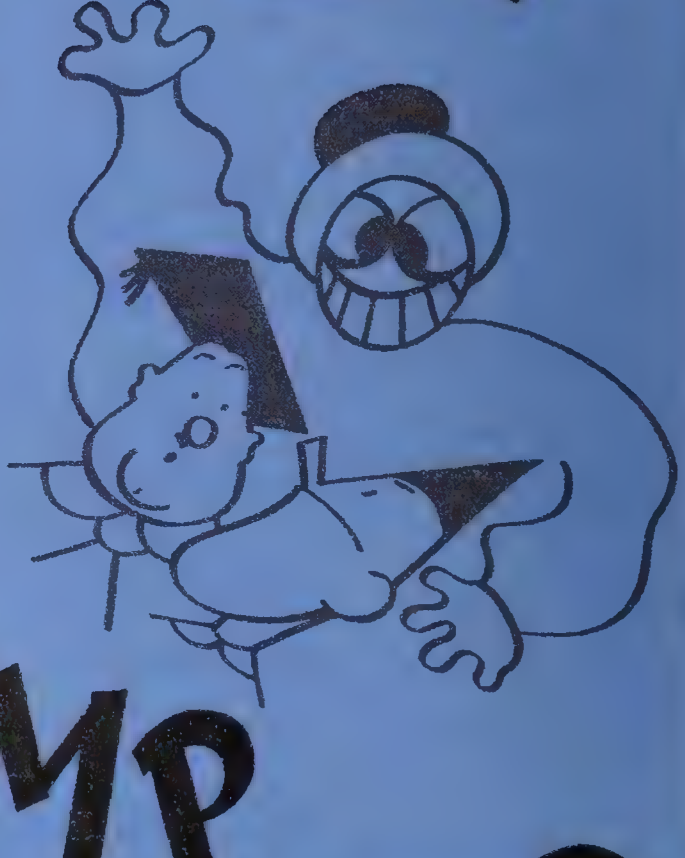
SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

LAUREL & HARDY

"The gentleman in front of us at the Rialto literally laughed himself into the aisle, with a resounding thump!"—reports Irene Thirer in the New York Evening Post as she reviews HAL ROACH'S



A CHUMP AT OXFORD

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]. 47. NO. 44 NEW YORK, U. S. A., MONDAY, MARCH 4, 1940 TEN CENTS

Unions Stand Pat, Demand Better Proof

Wage Parley Considered Likely This Week

Hollywood, March 3.—Resumption of discussions between studio labor unions and the producers over the 10 per cent wage increase controversy is expected this week.

Officers of studio unions, including 10 I.A.T.S.E. locals, as the result of informal meetings have definitely established two basic points for further discussions, it was learned.

They are "that rescinding of the 10 per cent wage increases obtained by the Conference of American Federation of Labor Studio Unions last Fall will not be considered unless producers submit radically new proof of financial loss suffered through the European conflict.

"In addition producers must establish conclusively that important economies have been effected in higher salary brackets before wage earners will consider a cut.

"Complete airing of long-standing demands for an adjustment of many problems of various crafts must be had, and satisfactory negotiations must be completed to clear up many new aspects of hours and working conditions embodied in the existing agreements."

RKO Signs Interest In Mayflower Corp.

London, March 3.—RKO Radio has acquired an associate interest in Mayflower Pictures Corp., Ltd., of which Erich Pommer and Charles Laughton are the chief owners.

Maxwell Setton, assistant to Pommer, sailed yesterday for New York for conferences with Pommer, Laughton and Budd Rogers, New York representative of Mayflower, on resumption of production at the English studio.

Pommer and Laughton are in Hollywood fulfilling individual and personal commitments with RKO under a producing and acting deal recently set.

Theatres Reopened After Strike in Cuba

Havana, March 3. — Cuban film houses, forced to close Thursday because of a shortage of inspected films due to a strike of inspectors, reopened Friday when police intervened. Inspectors staged a slow-down strike when distributors refused to grant wage increases.

Latin America Film Market Weak, Says Hummel After Tour

American film companies' distribution in Latin America has no expectation of a business increase because of commercial stringencies attributed to the European war and because of more playtime given to native product in some localities.

This opinion was expressed Friday by Joseph S. Hummel, Warners general foreign sales manager, following his return to New York from a four months' survey of Latin American distribution conditions.

Hummel explained that while American films lead in the Latin American market, it is foolhardy to suppose that American companies can recoup their European losses there. American business in Latin America has not been enjoying a large war-inspired impetus as commonly believed, he added.

Hummel said that action pictures are the biggest grossers in Latin America, and that Warner films, geared to action, are therefore doing well. The company's distribution is improving in that territory, he added.

Pictures produced in Latin American countries have created new audiences for films because of the fact that the native language is preferred to dubbed subtitles, Hummel declared. Argentine pictures obtain 60 per cent of the playtime in the Argentine interior, and revenue from such product in other countries also is considerable, he said.

But, he continued, native production still is in an experimental stage, and films produced domestically are being compared by audiences to American

(*Continued on page 7*)

Television to Spend Millions Building Its New Audience; 'Full Speed Ahead' is Order

Development of the television audience—the newest component of the amusement field—will be launched immediately by the television industry, which is prepared to spend millions of dollars on an advertising and sales promotion campaign.

Having been formally given the "go ahead" signal by the Federal Communications Commission, television manufacturers are eager to develop this new lusty infant of theirs so that commercialized programs will be inaugurated Sept. 1, the date set by the F.C.C.

RCA will launch an approximately $1,000,000 sales promotion drive to market its television receivers in the metropolitan and up-state New York areas, it was learned over the week-end.

Sets Can Be Easily Altered

No direct comment on the F.C.C. decision of last Thursday could be obtained, but it was learned authoritatively that RCA regards the ruling as approval of its efforts thus far and the provision for limited commercialization is sufficient to warrant expenditures for developing a television audience. An official announcement will be forthcoming early this week, it was said.

Although a trifle disappointed by the refusal of the Commission to set 441 lines with 30 frames per second as a temporary standard, it was pointed out that receivers sold now could be adjusted with a small expense if the F.C.C. altered the standards in the future.

First on the sales program is a slash of about 35 per cent in set costs, in accordance with a successful test made

(*Continued on page 7*)

$30,000,000 by Fox Set for 52 Features

Budget of 20th Century-Fox for 1940-'41 will be in excess of $30,000,000 for 52 features and 52 one-reel shorts, said Herman Wobber, general distribution manager, at the conclusion of a district managers' conference here Friday night.

This amount is larger than the budget for the same number of pictures being released during the present season. Three or four features next season will be in color.

Wobber, who presided at the two-day meeting at the Park Central Hotel, said it was devoted chiefly to a review of the present season's selling and product.

The annual sales convention will be held some time during the first two weeks in April in Chicago. Representatives from foreign territories may attend.

"Grapes of Wrath" this week will be playing in 300 theatres throughout the country, said Wobber. All engagements will be single bills and most of them call for extended runs.

Ascap Assails Smearing

Ascap, representing musical composers, authors and publishers, over the week-end denounced antagonistic maneuvers of broadcasters and condemned the "smearing campaign" being waged against its president, Gene Buck.

Extradition proceedings against Buck were dismissed in Phoenix, Friday, when Gov. Ayers of Montana refused to sign an extradition warrant. The arrest took place Feb. 22 on a charge of attempted extortion by A. J. Mosby, president and operator of KGVO, Missoula.

Ascap asserted that no commercial enterprise in Montana had paid anything to composers for the use of music during the past three years.

"The fight between Ascap and a few broadcasters had its roots in an issue which has already been successfully litigated all the way to the U. S. Supreme Court with complete vindication for Ascap's claims at every step," a resolution adopted at a special meeting on Saturday declared.

Referring to agreement with broadcasters, an Ascap spokesman asserted:

"The existing agreement expires at the end of this year, and with a view to intimidating and terrorizing the Society, the broadcasters have inaugurated a campaign of anti-Ascap legistlation in the several states and

(*Continued on page 7*)

Action Due Thursday On Fair Film Exhibit

Presidents of the major companies have been invited to be present at the Hays office Thursday to receive a report from a special committee headed by L. E. Thompson of RKO regarding the industry's participation in the 1941 World's Fair, which opens May 1.

The special committee conferred at the Hays office Friday and discussed various plans that have been presented. One of the ideas is for a theatre at which new product would be screened.

Stanton Griffis, chairman of the executive committee of Paramount, and Harvey D. Gibson, chairman of the board of the World's Fair, have urged industry participation in the Fair this year. Gibson is on the board of Paramount Pictures.

Purely Personal

JOSEPH HUMMEL, Warner foreign sales manager, arrived in New York Friday after a four-month trip to Central and South America, during which time he visited all of the company's branch offices in that territory.

•

TONY MUTO, Movietone News representative, has returned to his Washington headquarters after conferring with **TRUMAN H. TALLEY**, vice-president, who arrived last week from abroad.

•

E. C. CAHILL, division manager for RCA Photophone; **RALPH AUSTRIAN**, executive at the company's New York office, and **MAX C. BATSEL**, chief engineer, are in Hollywood on business.

•

WILLIAM GRADY, head of the M-G-M talent department, is in Jacksonville, Fla., on a talent hunt for a boy lead for the picturization of the novel, "The Yearling."

•

PAUL BINSTOCK, former manager of the Warner Lyric in Hartford, Conn., and Quigley Award winner, has joined Premium Promotion Syndicate.

•

TOM JEFFERSON of the Paramount home office is in Providence handling exploitation with **EDWARD L. REED**, manager of the Strand.

•

EDWARD M. SAUNDERS and **THOMAS J. CONNORS**, M-G-M division managers, are due back in a week from Florida.

•

MARY MARTIN has returned to the Paramount studio from New York.

OSCAR A. DOOB, advertising and publicity director for Loew's Theatres, returns from a Coast vacation today.

•

CY BARRETT, Warner Theatres district manager at New Haven, is recuperating from pneumonia at the New Haven Hospital.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, returns to his desk today after a trip to the studio.

•

LANGDON C. WINGHAM, San Francisco branch manager for M-G-M, today observes his birthday.

•

JACK KIRSCH, president of Allied of Illinois, is due back in Chicago this week from Miami Beach.

•

J. ROBERT RUBIN, vice-president and general counsel for Loew's, Inc., observes a birthday today.

•

MIRIAM HOPKINS returned to the Coast over the weekend after a three-week vacation here.

•

LEE KUGEL of the United Artists home office is in Providence on exploitation work.

•

RUBE JACKTER, assistant sales manager of Columbia, has left for a Miami vacation.

•

MAX ROTH, formerly district manager for Republic in Chicago, is in town.

•

JOE WEBER is expected to leave Miami for California next week.

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"Stop it, Eddie! Stop it! Get away from me, or I'll kill you!"

It's Still Illegal

Raleigh, N. C., March 3.—Two years ago, the state attorney general's office ruled that theatre Bank Night was illegal.

Since that time, Assistant Attorney General T. Wade Bruton said, requests for opinions on the legality of certain variations of Bank Night have been received on an average of one every two weeks. The opinion has not changed.

Three Majors File Trust Replies Today

Answers to the Government's interrogatories in the New York anti-trust suit are expected to be filed today by Paramount, Columbia and Universal.

Complete answers to the Government's 59 interrogatories, for the most part confidential, were filed Friday by Twentieth Century-Fox, M-G-M, RKO and Warner Bros.

The Government's replies to the majors' interrogatories will be filed tomorrow. They run over 200 pages in length. These answers, including a list of Government witnesses, have reached New York, but will not be disclosed until the Government applies to Judge Goddard tomorrow for an order regulating investigation of these witnesses by the defendants.

Examination of Ned E. Depinet, RKO's vice-president in charge of distribution, will be conducted today by Special Assistant Attorney General Robert L. Wright. Barney Balaban, president of Paramount, will testify tomorrow.

Previewing 'My Son' On Coast Tomorrow

HOLLYWOOD, March 3.—A preview of the Edward Small-United Artists film, "My Son, My Son!" will be held Tuesday at the Chinese Theatre. There will be a simultaneous showing at the Music Hall in New York.

Among those who are scheduled to attend the screening here are: Maurice Silverstone, Charles Schwartz, Gov. Culbert Olson of California, Mayor Fletcher Bowron, Hal Roach, Harry M. Warner, Hal Wallis, Walter Wanger, Joan Bennett, David O. Selznick, Richard A. Rowland, Madeleine Carroll, Louis Hayward, Charles Vidor, Charles Chaplin, Eddie Cantor, Dr. A. H. Giannini, Henry Ginsberg, Samuel Goldwyn, Arthur Hornblow, Jr., Vivien Leigh, Sol Lesser and others.

Kreisler, 'U' Drive Winner, on Coast

HOLLYWOOD, March 3.—As winner of the recent "Exhibitor-Sponsored Testimonial to New Universal" drive, B. Bernard Kreisler, head of Universal's Washington exchange, arrived by American Airlines yesterday for a two-week stay as guest of the studio.

Matthew Fox, Universal vice-president, and Deanna Durbin met Kreisler at the Burbank airport.

Bland Johaneson Ill

Bland Johaneson, film critic on the *Daily Mirror*, is ill at home. She has been under the doctor's care since the first of the year. Lee Mortimer is pinch-hitting for her.

RKO Claims Filed By Stirn Attorneys

Applications for allowances and disbursements in the RKO reorganization proceedings totalling $97,786 were filed in U. S. District Court Friday by Ernest W. Stirn and five attorneys who represented Stirn.

No application has been filed by John S. Stover, New York attorney, who represented Stirn in his attempted appeal to the Supreme Court from an order confirming the plan of reorganization. Stirn, a holder of 1,[illegible] shares of Class "A" RKO stock, in his application, alleges that he was instrumental in reducing a claim of Rockefeller Center, Inc.

Attorneys of Stirn who filed applications are H. William Ihrig, Milwaukee, $4,122, Arthur M. Gleason, Utica, $7,418, Saltiel & Saltiel, Chicago, $21,025, Harry J. Allen, Milwaukee, $4,503, and Lines, Spooner & Quarles, Milwaukee, 10,718.

30 Warner Houses Suspend Giveaways

PHILADELPHIA, March 3.—Warner Bros. failed to renew its contract yesterday with premium companies that have been supplying giveaways for forty neighborhood houses.

Independent deals will be made for only a dozen of the houses to continue giveaways with most of the other theatres continuing double features or instituting the double policy.

In thirty theatres where double features have been played the past year as a regular policy or occasionally Warners have found greater profit in double features over giveaways.

Wall Crashes, Kills Two on Theatre Job

BUFFALO, N. Y., March 3.—Two men were killed and two others hurt in Canandaigua Friday when a brick wall in a building being reconstructed for a theatre fell on them. The dead: Theodore Metildi, 40, and Samuel Aliamo, 31, both of Rochester. The building was being remodeled for a theatre for Schine Enterprises.

Frank Murphy Dead

HOLLYWOOD, March 3.—Frank Murphy, 55, head studio electrician for Warners for 15 years, is dead. Murphy played a leading role in the development of sound equipment in its early days.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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CALLING NAMES........

Wesley Ruggles

Jean Arthur

Fred MacMurray

Melvyn Douglas

W. Somerset Maugham

Claude Binyon

COLUMBIA PICTURES

All Brought Together....

WESLEY RUGGLES'

Too Many Husbands

starring

JEAN ARTHUR

FRED MacMURRAY ★ MELVYN DOUGLAS

Directed by WESLEY RUGGLES • Screen play by CLAUDE BINYON

Based on the play by W. Somerset Maugham

An impression of "Too Many Husbands"
by the noted illustrator
BRADSHAW CRANDELL

A GRAND COMEDY ADDING NEW LUSTRE TO COLUMBIA'S TRADITION OF DISTINGUISHED COMEDY PRODUCTIONS!

PRE-SOLD IN THESE NATIONAL MAGAZINES:

Life ★ Time ★ Look ★ Red Book ★ Liberty ★ Modern Screen ★ Silver Screen ★ Screenland ★ Hollywood ★ Screen Book ★ Screen Romances ★ Movie Life ★ Motion Picture Magazine ★ Movie Mirror ★ Photoplay ★ Picture Play ★ Movies ★ Screen Guide ★ Movie Story Magazine ★ Personal Romances ★ Glamour Magazine

Watch it take a place high up in this notable list of hits:

"It Happened One Night"
"Mr. Deeds Goes To Town"
"The Awful Truth"
"You Can't Take It With You"
"Mr. Smith Goes To Washington"

Too Many Husbands

RELEASED
MARCH 21st

Big Drive Will Build Audience For Television

(*Continued from page* 1)

last year. Meetings of dealers will be called in an effort to stimulate their interest. Larger discounts will be allowed to encourage sales further. An advertising campaign in newspapers and perhaps over the air will give impetus to the drive.

The present programs over W2XBS will be augmented by the addition of telecasts of popular radio programs. Two such programs, Lowell Thomas' news broadcasts and "Art for Your Sake," are now carried, but others will be added.

Development of the portable camera units will permit the telecasting of such shows as "Information, Please," Fred Allen's "Town Hall, Tonight" the NBC Symphony broadcasts and similar topnotch shows.

Unless set sales are substantially increased this Spring and Summer the provision for limited commercialization on Sept. 1 will mean very little as sponsors could hardly be obtained with the present limited audience of about 2,000 sets.

The Allen B. DuMont Laboratories, another large distributor of sets here, will also push set sales, it was said Saturday. Allen B. DuMont, head of the company, declared that "the Commission has made it possible for receivers to be designed and sold which will be sufficiently flexible to be used 20 and 30 years from now, rather than becoming obsolete."

The DuMont receiver features a device which makes it a simple process to switch from 441 lines to 625 or 881.

DuMont declared that the refusal to fix standards will permit investigation of methods of using frequency channels to eliminate overcrowding. "It has also made possible the adaptation of television to the uses of the theatre and all other arts where instantaneous pictures will be valuable," he added.

Coast Station Goes Full Speed Ahead

HOLLYWOOD, March 3.—The only television transmitter west of Kansas City, Hollywood's W6XAO, operated by Thomas Lee, went ahead full speed following word that the F.C.C. has adopted rules permitting limited commercial operation of television.

Officials of the station indicated they would seek a Class 2 license. Under the F.C.C. ruling, two classes are set up, the first for conducting experimental research on several channels; second, for commercial program stations, which have an assigned channel, as W6XAO already does.

Harry R. Lubcke, the transmitter's director, pointed out in the report made to F.C.C. recently that limited sponsorship must be ultimately expected, as reported in MOTION PICTURE DAILY of Dec. 29. That report stated that low quality sponsorship (commercial announcements made between play-offs of phonograph records) would be impossible through increased cost of programs and equipment.

Bernard Linden, F.C.C. district inspector, currently here, sent in a report to Washington two weeks ago, and reported he was "exceedingly impressed" with the setup of the coast transmitter, which in its nine years of operation has presented over 6,000 program hours in its more than 2,500 telecasts.

Lee executives are pushing work on completion of a new station atop of Mount Lee, some 1,700 feet high, with preliminary floor plans now being drawn.

The F.C.C. order is seen as meaning only a sufficient payment by sponsors to cover the cost of the program, and as probably serving to bring Intra-4 A's dispute as to television jurisdiction into the open.

At present both S.A.G. and Equity claim jurisdiction with the Radio Artists Guild also putting in a claim.

W6XAO officials expressed a desire to "ease into" the new field of sponsored programs so as not to disrupt existing advertising forms such as radio.

The announcement has already brought a flood of inquiries from agents, actors, etc., as to terms and conditions of the new setup. It is additionally seen as a great stimulus to the sale of sets locally.

Canada Doubts Early Television in Provinces

MONTREAL, March 3.—Despite the action of the F.C.C. granting limited commercialization of television, authorities here do not believe that Canada will have commercial television for some years to come.

Sparse population, war-time economy and the small range of the signal because of the terrain were cited as reasons.

Technical development is sufficiently far advanced to permit immediate establishment of stations, E. C. Grimley, president of RCA-Victor Corp. of Canada declared, but economic difficulties still have to be overcome.

A $250,000 investment to obtain a transmitter, camera and other equipment and a license from the Canadian Broadcasting Corp. for a band 6,000 k.c. wide are all that are required, he said.

Ascap Assails Smearing

(*Continued from page* 1)

the vilification by public statements and by such acts as the unwarranted arrest of Mr. Buck."

Ascap charged that the National Association of Broadcasters persuaded the Government to bring an anti-trust suit against the Society in 1935, but that the suit was adjourned without verdict at the request of the Government shortly after the opening of the trial.

Later, Ascap continued, the N.A.B. attempted to have the copyright laws amended to provide for the free use of music by broadcasters and had a bill introduced which would give jurisdiction to the F.C.C. when broadcasters were dissatisfied with the amount of royalties sought for music.

Anti-Ascap legislation was introduced in 30 states. Washington, Montana and Florida enacted such laws but legislation is pending to test their constitutionality, and similar laws in Nebraska and Tennessee have already been declared unconstitutional, a spokesman declared.

He asserted that there are radios in 40,000,000 homes and 8,000,000 automobiles. "In 1939, the broadcasters sold to advertisers, under the free franchise granted them by the Government for the use of the air, more than $171,000,000 worth of time. Manufacturers of receiving equipment sold to the American public some $500,000,000 worth of merchandise and several million dollars worth of radio station equipment was sold to broadcasters.

"Music constitutes some 70 per cent of the material used in commercial time on the air, and it has always been conceded by broadcasters that music is the most important raw material on their program."

He also contended that radio has depreciated the sale of sheet music by 90 per cent and of phonograph records by 93 per cent, and composers were entitled to "a fair share" of radio's earnings.

"Out of $171,000,000 paid by advertisers in 1939 for 'time on the air,' approximately $4,000,000 was paid in royalties to Ascap members and affiliates comprising more than 45,000 individuals in 21 different countries."

Hays Board to Act On U.A. Resignation

Hays office board of directors will act March 25 on the resignation submitted by United Artists six months ago. The resignation has not been withdrawn. While U.A. declared it to be effective March 1, it must be officially accepted by the Hays office directors. Producer members of U.A. continue as members of the Hays office, however.

Latin America Film Market Called Weak

(*Continued from page* 1)

and other imported films, and unless quality is maintained the native pictures will lose drawing power.

Warners, he said, have no plans to produce or distribute Latin American films. Whether the company will build theatres in Rio de Janeiro and Buenos Aires, as has been reported as a possibility, depends, he said, on whether the company obtains adequate distribution.

The only new restriction in Latin America is a censorship tax levied by Brazil, which, said Hummel, will be very expensive to the American film companies. Currency export from the Argentine is expected to be liquid soon, he said. This has been a problem due to protracted negotiations with the Argentine Government over the imposition of an income tax.

Hummel during his trip covered Brazil, Argentine, Chile, Peru, Colombia, Ecuador, Panama, Venezuela, Puerto Rico and Trinidad.

New Film Building

Plans for the construction of a new six-story building to house a film factory, office, film vaults and stores at 332 W. 44th St., were filed over the weekend. The building will cost about $500,000. J. J. Furman is the architect and Jack G. Leo is owner.

Tips on Exploitation

Marriage Broker Stunt Plugs 'Many Husbands'

Columbia won wide local and syndicated newspaper coverage on a stunt devised by Al Sherman and Jose Schorr of the publicity department for "Too Many Husbands." A leading marriage broker of the city was the subject of an arranged press interview, during which he said "there are 'too many husbands' available and not enough girls to go around."

Music Broadcast Plugs King Visit Film

HAMILTON, Ont., March 3.—For a showing of the film of the visit of the King and Queen to Canada and the U. S., Len Bishop, manager of the Capitol, Hamilton, spotted an amplifier under the front marquee, to broadcast patriotic music from a talking machine. The records were entirely of British and Canadian war songs, old and new.

'Pinocchio' Figures Draw 6th Ave. Crowds

Crowds along New York's Sixth Ave., near the Center Theatre, were attracted to a novel stunt for "Pinocchio," playing the house. Three men, wearing big "Pinocchio" heads and appropriate costumes, gesture in the manner of puppets from their perch atop the marquee, pointing at the street, at the huge paper head of "Pinocchio" mounted above them on the theatre front, and at themselves.

More Film Chiefs' Incomes Disclosed

Louis B. Mayer, vice-president in charge of production, received $688,369 from Metro-Goldwyn-Mayer, Inc., during 1938, according to belated income tax figures filed with the Securities & Exchange Commission.

Mayer's income was divided, $541,119 share of profits and $147,260 salary. Hunt Stromberg, producer, was next on the M-G-M list with $388,818; Wallace Beery, actor, third, with $355,000.

Profit shares to other executives were: Nicholas M. Schenck, $145,513; David Bernstein, $87,308; J. Robert Rubin, $114,244; E. J. Mannix, $91,757; Sam Katz, $91,757, and Alexander Lichtman, $68,818.

Swedish Remittance On Films Not Halted

Home office foreign business managers have received cabled advices from their representatives in Stockholm that remittances on films are not halted although the Swedish Government has abandoned the gold standard.

One home office chief stated the Swedish film situation is not altogether assuring. He said that the future of the Swedish market is uncertain as the Finnish-Russian war gets nearer Sweden' borders and the fact that currency restrictions have become stronger.

35 New Films Now in Work In Hollywood

HOLLYWOOD, March 3.—Thirty-five pictures were before the cameras this week, as seven were started and six finished. Twenty-one are being prepared and 57 are in the cutting rooms.

The tally by studios:

Columbia

Finished—"The Doctor Takes a Wife," "Offenders of the Law."

In Work—"The Man Who Would Not Die."

M-G-M

In Work—"Two Girls on Broadway," "Dr. Kildare's Girl," "Edison, the Man," "Waterloo Bridge," "Pride and Prejudice," "And One Was Beautiful," "The Mortal Storm," "20 Mule Team," "Susan and God," "Andy Hardy Meets a Debutante."

Monogram

Finished—"Covered Wagon Trails."

In Work—"Son of the Navy."

Started—Untitled "Renfrew" film.

Paramount

In Work—"Destiny," "The Ghost Breakers."

Started—Untitled "Henry Aldrich" film.

Sol Lesser

In Work—"Our Town."

RKO

Finished—"You Can't Fool Your Wife."

In Work—"The Saint Takes Over."

Started—"Tom Brown's School Days."

Republic

Started—"Grandpa Goes to Town," "Young Buffalo Bill," "In Old Missouri."

Hal Roach

In Work—"Turnabout."

Edward Small

In Work—"South of Pago Pago."

20th Century-Fox

Finished—"On Their Own."

In Work — "Lillian Russell," "Maryland."

Started—"Rogue of the Rio Grande."

Universal

Finished—"It's a Date."

In Work—"Sandy Is a Lady," "If I Had My Way," "La Conga Nights."

Warners

In Work—"The Sea Hawk," "All This and Heaven Too," "An Angel from Texas," "Torrid Zone," "Flight Eight."

Milwaukee Club Party

MILWAUKEE, March 3.—Some 7,000 turned out for the Variety Club's movie ball at the Auditorium here, which featured Orrin Tucker and Bonnie Baker. Also appearing at the ball was Martha Raye, who was playing the Riverside theatre. Proceeds go to the club's Heart of Variety fund. L. F. Gran, general manager, Standard Theatres, was chairman of the ball.

Hollywood Review

"Black Friday"

(Universal)

HOLLYWOOD, March 3.—Tightly woven entertainment in the field of horror is provided by this Boris Karloff-Bela Lugosi vehicle, which has the former in the role of a doctor crazed by his desire to prove a theory of brain transplantation, with the latter as a gangster and Stanley Ridges as a college professor whose life is saved for a time by using part of a dying gangster's brain.

Taking on, at times, the character of the dead man, Ridges commits a series of murders before returning to normalcy as a teacher, only to revert unexpectedly to the other role. Never flagging as directed by Arthur Lubin, the screen play was written by Kurt Siodmak and Eric Taylor, with Burt Kelly acting as associate producer.

Reflecting the success of its predecessors in the specialized field of the horror film, the picture met with a suspenseful and enthusiastic response from its preview night audience.

Running time, 70 minutes. "G."*

WALTER SELDEN

"G" denotes general classification.

Billboard Measure Introduced in N. Y.

ALBANY, March 3.—Assemblyman Dutton S. Peterson, Schuyler County, has introduced in the New York legislature an outdoor advertising regulation bill. It is attracting much attention due to the fact that legislative leaders are casting about for new sources of tax revenue to substitute in the budget for Governor Lehman's suggested $15,000,000 increase in income taxes. The latter plan is definitely due to be scrapped with the amount to be made up by cuts and "offset" taxes.

The Peterson measure would not apply to billboards located within a city or incorporated village, two places where theatre posters flourish. Powers and duties under the regulation article would be invested in the superintendent of public works, with firms licensed thereof at $50 annually.

Smith Again Heads Tampa Credit Union

TAMPA, Fla., March 3. — Edgar Smith was reelected president of the Gulf Theatre employes' credit union at the annual meeting of the board.

Other officers named are: Carl Cline, vice-president; Donald Holcomb, secretary and treasurer. The board comprises the officers and Jesse L. Clark, O. G. Finley, Scott Williams and C. W. Hannon.

Members of the credit committee are J. M. Sealy, A. T. Mason, Harry Gordon, C. W. Hannon and Donald Holcomb, and the supervisory committee includes W. J. Paleveda, Harold Wegman and Robert Morales.

Columbia Sets Films On 'Tillie the Toiler'

Columbia has purchased the rights to "Tillie the Toiler," Russ Westover's newspaper comic strip, and will feature the character in a new series. A nationwide casting contest will be undertaken to find a girl for the leading role.

This will be the second series for Columbia, the first being the "Blondie" films, based on the Chick Young comic strip. Five "Blondie" films have been released to date.

Both "Tillie the Toiler" and "Blondie" are owned by King Features, with which the film deal was made.

The Real Winner

Hollywood, March 3.—Stork trouble stalked the Academy Awards banquet.

Max Steiner, one of the nominees for the music award, was pacing a hospital floor; Lewis R. Foster, who won the original screen story award, was "expecting," and Geraldine Fitzgerald, supporting actress nominee, was "awaiting."

To top it all, Donald Gledhill, executive secretary, checking on the lateness of floral decorations, learned that the florist also was about to become a father.

Five New Companies Chartered at Albany

ALBANY, March 3. — Incorporation papers have been issued to five exhibition, distribution and production firms, as follows:

Merle Amusement Corp., by Harold J. Sherman, I. Jack London and M. H. Litman, New York. Paul Berney Productions, Inc., by Joseph L. Hochman, Paul L. Berney and Lillian B. Cohen, New York; Ford Leary, Inc., by Milton E. Pickman, Mathilde Lewis and Ford Leary, Brooklyn; Mario Theatre Corp., by Myron J. Glantz, Benjamin Davidson and Annette Graifer, New York, and Empire Expositions, Inc., by Robert M. Seals, Alva E. Lamberton and Claude F. Ratcliffe, Jr., New York.

Philadelphia Clubs Hear Neely Debates

PHILADELPHIA, March 3.—Sid Samuelson, business manager of Allied here, and Joe Conway, manager of the independent Egyptian theatre, are taking to the speaker's platform this week to address women's clubs, Parent-Teachers' groups, forums and the like in favor of the Neely bill.

This move follows the present stumping among the same groups by George P. Aarons, secretary of the United Motion Picture Theatre Owners here, and Eddie Rosenbaum of the local Columbia exchange speaking against the bill.

English Office Expansion Set By Warners

LONDON, Feb. 20—(*By Mail*).—Preparations to develop the provincial branch offices of Warner Brothers, to build new offices with preview theatres and rooms for the exclusive u[illegible] of exhibitors, have been completed [illegible] Max Milder, Warner British chief.

Manchester has been chosen by Milder as the first office to be expanded. Leeds, Newcastle, Liverpool and Birmingham will follow.

Milder is also staging a sales drive throughout the organization and offering cash prizes amounting to about $3,000 to the winners.

Talks between the London Branch of the Cinematograph Exhibitors Association and the Associated Film Carriers of Great Britain—group of transport companies—have resulted in a demand for a 15 per cent increase in rates being cut to 10 per cent.

The increase is effective at once and will be renewed or terminated in three months, according to a decision after a joint review of conditions.

"Singapore" Preview Set

Paramount will hold a special preview of "Road to Singapore" at the Paramount Theatre tonight immediately following the last regular performance at midnight. The screening, arranged by Lou Diamond, head of Paramount's music subsidiaries, will be attended by leading hotel and night club orchestra leaders and vocalists, and major network executives.

Loses Houston Libel Suit

HOUSTON, March 3. — Historical characters whose lives are a matter of public interest lose their rights of privacy, Judge Norman V. Atkinson ruled Friday in dismissing the $1,000,000 suit brought by Gen. Andrew Jackson Houston against Interstate Theatres, Republic and others for alleged libel of his father, Sam Houston, in the film, "Man of Conquest."

Drop Plagiarism Suit

Discontinuance of a $10,000 plagiarism suit brought by Select Theatres Corp. against Warner Bros. Pictures was filed Friday in U. S. District Court. Suit claimed plagiarism of a literary composition, "The Audition," by the picture, "Ready, Able and Willing."

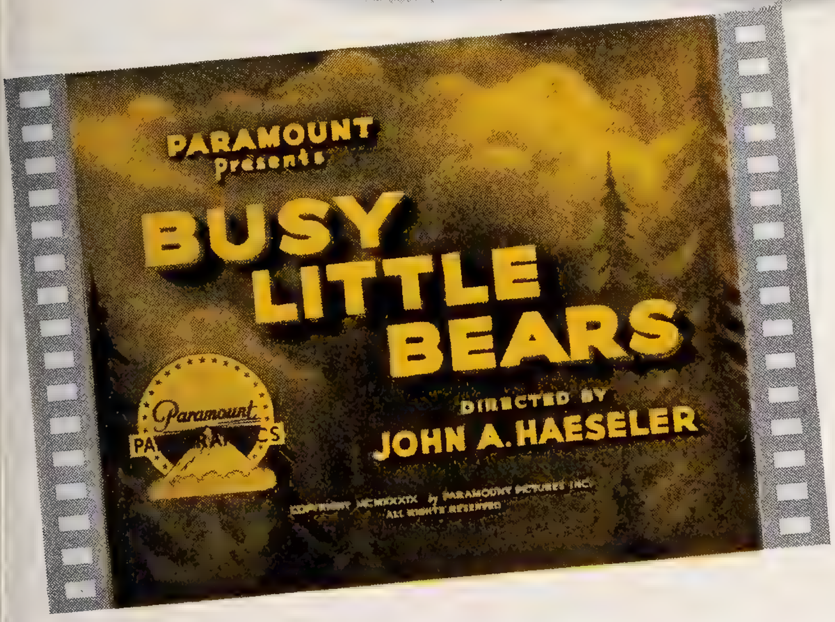
Jury Clears Buzzell

LOS ANGELES, March 3.—J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, has been cleared by the County Grand Jury of criminal responsibility in a traffic accident fatality, but still faces possible prosecution on a charge of reckless driving.

CIO Wins Recognition

PHILADELPHIA, March 3.—After two days of picketing, the C.I.O. gained closed shop recognition at the National Penn Printing Co., theatrical printing concern headed by Simon Libros, former president of the defunct National Poster Renters Association.

Have you heard the "SHORT" story of the three "BUSY LITTLE BEARS"* and Oscar?



It seems as if three little bears, Horace, Herbert and Herman by name, got in front of a battery of Paramount cameras and went through "Their Day" ...including many amusing and amazing adventures with a badger, a porcupine, a skunk, an experience with an eagle (one of the screen's photographic high spots) and an hilarious brush with the civilized world.

Frank Crumit did a running commentary . . . and, Lo and Behold, when it was shown on the screen, why, it was just naturally given the Academy Award for the Best One-Reel Subject of the Year.

And if you ask the "Busy Little Bears" to what they attribute their success, they always reply, "We owe it all to Paramount!"

All of which bears out our theory—"If It's a Paramount Picture, It's the Best Show in Town."

***a Paramount Paragraphic**

Paramount's Short Subject Line-up:

Popeye Cartoons
Stone Age Cartoons
Color Classics
Paramount Headliners
Grantland Rice Sportlights
Popular Science
Unusual Occupations
Paramount Paragraphics
Paramount Color Cruises
Symphonic Shorts
and
Paramount News

100%
BOX OFFICE
tested

12th Annual Award

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

J. E. BRULATOUR, INC.

Proudly Acknowledges

And Congratulates

The Cinematographers

Receiving

Academy Awards

For

Outstanding Photography

In

Black and White and Color

It is significant that each and every
original selection in both classes is

Photographed

With

EASTMAN NEGATIVES

YOU WON!

Congratulations, Exhibitors!

The wide acclaim accorded

WALT DISNEY'S "The UGLY DUCKLING"*

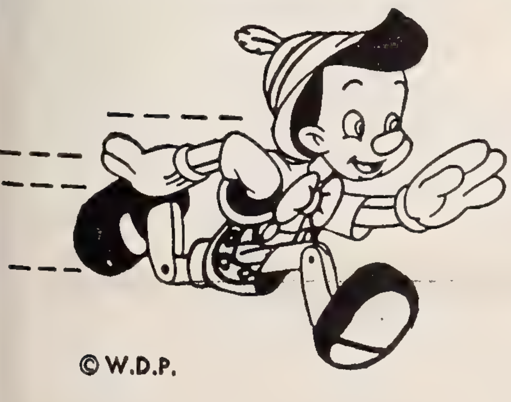
as winner of the

ACADEMY AWARD

makes this great short a natural to rebook

FOR EASTER WEEK!

* Number six in the parade of Disney shorts to win the Academy Award for six consecutive years!



RUN . . . don't walk to your nearest RKO Radio Pictures EXCHANGE!

© W.D.P.

12th Annual Award

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

SELZNICK INTERNATIONAL
SIBLE THE FOLLOWING AWARDS OF
ARTS AND SCIENCES FOR

- *Best Direction:*

VICTOR FLEMING

- *Best Performance by an Actress:*

VIVIEN LEIGH

- *Best Performance by Supporting Actress:*

HATTIE McDANIEL

- *Outstanding Achievement in the Use of Color for Enhancement of Dramatic Mood:*

WILLIAM CAMERON MENZIES

- *Cinematography in Color:*

ERNEST HALLER and RAY RENNAHAN

- *Art Direction:*

LYLE WHEELER

- *Film Editing:*

HAL C. KERN and JAMES E. NEWCOM

12th Annual Award

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

THANKS ALL THOSE WHO MADE POS-
THE ACADEMY OF MOTION PICTURE
"GONE WITH THE WIND"

All the men and women of the staff who made possible the award for the "best production of 1939"—"Gone With The Wind."

And expresses its debt to the late Sidney Howard, posthumously honored with the award for the best screen play.

From David O. Selznick, great gratitude to the men and women of Hollywood for honoring him with the Irving Thalberg award.

12th Annual Award

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

My Sincerest Thanks

VIVIEN LEIGH

BEST PERFORMANCE
AWARD
"GONE WITH THE WIND"

12th Annual Award

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

The men and women

of

TECHNICOLOR

express their deepest appreciation

HERBERT T. KALMUS

* * *

SPECIAL AWARD

FOR ITS CONTRIBUTIONS IN SUCCESSFULLY BRINGING
THREE-COLOR FEATURE PRODUCTION TO THE SCREEN

RCA's Gross Shows Boost of 10½ Million

RCA earned a consolidated net profit of $8,082,811 during 1939, an increase of $670,739 over the preceding year, the annual report to stockholders revealed over the weekend. Consolidated gross income was $110,494,398, an increase of $10,526,288.

All subsidiaries, including NBC, RCA Manufacturing, RCA Communications, Radiomarine Corp. of America, and RCA Institutes, operated on a profitable basis for the year, the report said, but gave no breakdown of figures.

The profit was equivalent to earnings of 35 cents per share on outstanding common stock, after payment of all preferred dividends. Manufacturing provided 50.7 per cent of RCA's gross income, broadcasting 36.9 per cent, communications 7.9 per cent, and all other sources, 4.5 per cent.

Total current assets amounted to $44,358,951 at the end of 1939, compared with $41,931,924 for 1938. Liabilities were $18,612,686 as compared with $13,259,860.

The report called attention to two new television developments which are now technically ready for public service. The radio relay system for a television network is the first and large screen television is the other.

Speaking of the latter, the report states:

"The other new television development is the improved projection of a large screen television image, of a size and clarity suitable for theatre presentation. Large screen television will permit the showing of current events and other programs to large audiences. The relay system described offers a practical means for distributing television programs to theatres, whether in a single locality or in the several cities of a television network."

RCA Report Reveals RKO Stock Holdings

RCA holdings in RKO, after exchange of its old securities for the new ones provided under the reorganization plan, were disclosed by the annual report to RCA stockholders over the weekend.

RCA holds 44,757 shares of preferred stock, 316,328 shares of common, and 555,254 option warrants each of which permits the purchase of one share of common at $15 within the next 10 years or one-half share at $10 within the next five years.

Await Master Word In Chicago Action

CHICAGO, March 3.—Attorneys for the Government and the defendants in the suit filed here against Balaban & Katz and the major companies for alleged violation of a consent decree, have not heard from Master in Chancery Edgar Eldredge if any oral arguments will be heard on the case.

Seymour Simon, special assistant to the Attorney General and active in the prosecution of the suit, has resigned. He will go into private practice with Gordon L. Bazelon, Chicago attorney.

RADIO BREVITIES

FREQUENCY modulation stations will make a determined bid to wrest some of the air channels alloted to television for their own uses when the F.C.C. hearings start later this month.

Sentiment among broadcasters experimenting with FM is that FM is much further advanced than the video art and is entitled to more space on the air lanes.

Approximately 100 stations have already applied for FM licenses and the number is rising daily. Major Edwin H. Armstrong, holder of many basic FM patents, believes that there will be about 300 applicants within the next few months.

A demonstration Thursday night linked Alpine, N. J., with Paxton, Mass., without the use of telephone wires. As soon as the snows melt on Mt. Washington, N. H., W1XER will be able to complete its transmitter and there will be facilities open for a complete FM network servicing the area from New Jersey to Canada.

Set manufacturers report that they are several months behind in deliveries on FM sets. Stromberg-Carlson, for example, is planning to run newspaper ads advising the public of the delay and asking for patience.

NBC Billings Soar

Gross billings at NBC continued their upward trend during February with a 10.2 per cent rise over the same month last year. Billings totalled $4,132,084 for both the Red and Blue networks. Total gross revenue for the first two months of this year was $8,537,292, an increase of 9.7 per cent over $7,782,595 for the same period last year.

The Blue network billings rose sharply to $905,101 for an increase of 17 per cent over February, 1939, while the Red grossed $3,226,983, an increase of 8.5 per cent over the same month last year.

Tompkins in Broadcast Music Post

Merritt E. Tompkins was appointed general manager of Broadcast Music, Inc., over the weekend. Tompkins is president of Associated Music Publishers, and was formerly vice-president and general manager of G. Schirmer, Inc. Tompkins declared that BMI would deal not only with individual writers but also with publishing houses, transcription companies and associations in Europe and South America. Arrangers will be employed on both full and part time basis.

Personalities in the News

Fred Weber, Mutual's general manager, flew to Florida on Friday for a one week vacation. . . . Lenox R. Lohr, NBC president, will speak at the Advertising Club of New York dinner on March 27 and at a luncheon meeting of the Advertising Club of Baltimore on April 3. . .

"Lum and Abner" will broadcast today, Wednesday and Friday from New York, returning to Hollywood on March 11. . . . Arthur Hale's news broadcasts over WOR on Tuesdays, Thursdays and Saturdays will be sponsored by Look Magazine*. . . .*

Martha Deane will be heard Mondays through Fridays at 11:15 A. M. over WOR instead of 3 P. M. starting today. . . . Dick Powell, who resumes film work Sunday in Paramount's "I Want a Divorce," will also resume radio work on Thursday as emcee of "Good News of 1940."

Dramatize Roosevelt's Term

CBS salute to WJSV, Washington, tomorrow evening at 9:30 will feature a dramatization of the first 100 days of President Roosevelt's first term.

Seek "Wind" on Lux Show

A deal to have the Academy Award winners appear March 11 on the "Lux Radio Theatre" with a dramatization of "Gone With the Wind" was being pushed over the weekend by the J. Walter Thompson agency. Under the proposal, the Academy would receive $20,000 from the agency with the performers donating their services.

Attempt to Settle F. & M. Suit Fails

ST. LOUIS, March 3.—An attempt to reach a settlement in the suit of Fanchon & Marco, Inc., and two of its subsidiaries to regain $42,200 alleged to have been paid in legal fees to John S. Leahy and two associates, was unsuccessful.

At the resumption of the trial, accountants of the film company were called as witnesses and financial records were introduced.

Boston Gives Big $47,000 To 'Passage'

BOSTON, March 3. — "Northwest Passage" was the big attraction, grossing $28,000 at Loew's Orpheum and $19,000 at Loew's State.

"The Big Guy" (Univ.)
KEITH BOSTON—(3,200) (25c-40c-55c-[illegible]) 7 das. Phil Spitalny band. Gross: $20,500. (Average, $8,500)

"Swiss Family Robinson" (RKO)
"Reno" (RKO)
KEITH MEMORIAL — (2,907) (25c-35c-40c-55c) 8 days. Gross: $23,000. (Average, $14,500)

"Brother Rat and a Baby" (W.B.)
"Parole Fixer" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $11,500. (Average, $7,000)

"Brother Rat and a Baby" (W.B.)
"Parole Fixer" (Para.)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days. Gross: $9,000. (Average, $4,500)

"Judge Hardy and Son" (M-G-M)
"British Intelligence" (W.B.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $22,500. (Average, $14,500)

"Balalaika" (M-G-M)
"Earl of Chicago" (M-G-M)
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $4,500. (Average, $4,000)

"Northwest Passage" (M-G-M)
"The Lone Wolf Strikes" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $11,000)

"Northwest Passage" (M-G-M)
"The Lone Wolf Strikes" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $28,000. (Average, $14,500)

Helen Hayes' Father Dies

PEARSON, Md., March 3.—Frank V. Brown, father of Helen Hayes, died at his home here Friday.

MY SINCERE THANKS
TO EVERYONE
HATTIE McDANIEL

BEST PERFORMANCE
by
SUPPORTING ACTRESS
AWARD
"GONE WITH THE WIND"

Management
MCA ARTISTS, Ltd.

FILE COPY
DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

[illegible]L. 47. NO. 45 NEW YORK, U. S. A., TUESDAY, MARCH 5, 1940 TEN CENTS

France Blocks Withdrawals Of Film Cash

Joins Other Nations with War Restrictions

France has been added to the growing list of countries which, on account of the war, are imposing currency restrictions and blocking film remittances. The restrictions, according to advices received here in official circles, were put into effect last week.

The French business is estimated to amount to approximately five per cent of the total foreign gross of the American companies. Its contributions to the industry's income was once about $4,500,000 annually.

At the same time, the French Government is stated to have undertaken an investigation of the film situation with a view of controlling the "flight of capital," and to make a study of the film industry's requirements in the situation.

The French market has deteriorated considerably in the past few years because of high taxes, extreme labor costs and the high cost of dubbing pictures. Because of the war the possible revenue from France has been reduced by almost 50 per cent, or slightly over

(*Continued on page* 5)

Protests Free Film Exhibit at the Fair

John Manheimer, executive secretary of the New York I.T.O.A., yesterday sent a telegram to Will H. Hays, president of the M.P.P.D.A., protesting the proposal for an admission-free motion picture exhibit at the World's Fair.

Manheimer's telegram follows in part:

"While we offered our support to the World's Fair last year, the lowered admission prices that will be in effect when the Fair opens May 11 will offer serious competition to us and we therefore are of the opinion that any cooperation in the way of free attractions to the public by this industry is inimical to our interests.

"In discussing any plans for industry cooperation it is urgent that you consider the status of the theatre owner."

An industry committee headed by L. E. Thompson of RKO is considering a proposal for a film museum at the Fair at which exhibits will ex-

(*Continued on page* 2)

Industry Asks U.S. For Seven Wagner Labor Act Changes

WASHINGTON, March 4.—Changes in the Wagner Act which would protect the film and other industries from labor trouble arising out of disputes between rival unions were asked today by attorneys for 11 Hollywood producing companies.

Alfred Wright and Maurice Benjamin, Los Angeles attorneys representing the producers, appeared before the House Labor Committee and urged, in all, seven procedural amendments to the Wagner Act, which, they said, are designed to make it operate more fairly.

The principal amendments sought are:

Give employers the right to petition the Labor Board to certify a proper union when there is a conflict between two or more unions.

If an employer agrees to deal with a union on Board orders, he shall be protected against demands by a rival union.

Employers should be free to discharge employes for any reason other than union activity.

Findings of the National Labor Relations Board as to facts shall be binding on courts only if supported by "substantial and material" evidence rather than by "some evidence."

Give the Board the power to hand down "consent decrees" where an employer agrees to discontinue unfair labor practices.

Benjamin said film companies find it difficult to discharge employes for legitimate reasons because Labor Boards usually accept the employee's word when he ascribes his discharge to union activities.

KNOX HINTS TRUST SUIT PEACE HOPES

$16,000 Highest Bid For GN Film Rights

Bids up to $16,000 for rights to Grand National pictures were made yesterday at a G. N. hearing before Referee Peter B. Olney, Jr., who deferred action until March 27.

At the same hearing, Educational Studios, Inc., filed a claim to 44 features and six shorts now held by G. N. Action on this claim was also postponed.

Highest bid for G. N. film rights was made by Dino Rossini, Far Eastern film distributor. Rossini's closest competitor was Nat Saland who offered $15,000 outright or $10,000 and 30 per cent of the first $100,000 received on the films, plus 50 per cent of sums in excess.

Referee Olney stated that written inventories of G. N. assets would be prepared and distributed on March 27. Other bids are expected at that time.

Trust Suit Accuses Republic and Majors

LINCOLN, March 4.—Republic Pictures, together with six other major distributors, was named a defendant in an anti-trust suit filed in Federal court here today by Frank Hollingsworth, Beatrice, Neb., exhibitor.

Hollingsworth's suit charges that after leasing and renovating the Pix, Beatrice, last summer, he was unable

(*Continued on page* 5)

Film Counsel Surprised; U. S. Examines Depinet; Balaban Is Next

Federal Judge John C. Knox, in a written opinion yesterday, referred to the possibility of a settlement of the Government's New York anti-trust suit.

The reference came as a complete surprise to film attorneys engaged in preparation of trial of the case, all of whom asserted that they were unaware of any possibility of the case being settled.

These attorneys were emphatic in their denials that any overtures involving a settlement of the suit had been made to them.

Government attorneys disclaimed any knowledge of a projected settlement. They pointed out that the Government was energetically preparing for prosecution of the trial.

Judge Knox's reference was made in the course of a decision fixing a trial date for the plagiarism suit of Joseph Davilla against Harms, Inc., NBC and CBS. The question had been raised by Schwartz & Frohlich, attorneys for the defendants in the Davilla suit, who told Judge Knox that they must be free to defend Columbia in May in the anti-trust suit.

Judge Knox, senior U. S. district court judge, in his opinion stated:

"If it be, as has been suggested, that the case of U. S. against Paramount Pictures, Inc., will be disposed of without trial of the issues, this suit can be tried May 15. If the Paramount case goes to trial May 1, trial of this action will have to await its conclusion."

It was stated that Judge Knox

(*Continued on page* 12)

Ontario Bans 'Time' Subject on Canada

TORONTO, March 4.—Premier Hepburn of Ontario today banned the March of Time release, "Canada at War" on the ground that it is political propaganda of the Canadian Government for the Federal election campaign, leading to the election March 26.

"I am not going to allow films to be used for political purposes," Hepburn said.

Louis de Rochemont, producer of the March of Time, charged yesterday in a prepared statement on the ban-

(*Continued on page* 2)

Storm Damages Grosses; Broadway Take 35% Off

The third major storm to hit the metropolitan area in recent weeks and the worst in 25 years affected Broadway first runs most severely, but caused grosses to drop in neighborhood and suburban theatres as well. Business on Broadway was off 35 and 50 per cent for Sunday and yesterday.

Radio stations which had considerable trouble in the last storm were not generally affected, but WABC was off the air for a total of 6½ hours yesterday when its power supply failed.

Circuits operating neighborhood houses were unable to determine the extent of damage suffered at the box-

(*Continued on page* 2)

Broadway grosses slumped 35 to 50 per cent Sunday evening and yesterday as a result of the 36-hour downpour. The Paramount and Capitol, however, held up well despite the weather.

At the Paramount, "Seventeen," with Glenn Miller's band and four visiting bandleaders, drew an estimated $28,000 over the weekend and should finish its first week with an estimated $60,000. It holds over.

"Gone With the Wind" at the Capitol, which ends an 11½-week run tomorrow, enjoyed a stimulated boxoffice and took an estimated $60,000 for

(*Continued on page* 2)

Purely Personal

Arthur M. Loew, vice-president of M-G-M in charge of foreign activities, and Oscar A. Doob, advertising and publicity manager of Loew theatres, returned from the Coast yesterday by plane.

•

Ben Kalmenson, Warners' Western and Southern sales manager, returned to his desk at the home office yesterday from a trip to the company's exchanges in the South. He was gone about four weeks.

•

William J. Lee, father of Arthur Lee and associate of Pat Casey at the latter's New York office, who has been seriously ill at his home for the past few weeks, was reported much improved yesterday.

•

Walter Green, president of National Theatre Supply Co., on visit at the company's Hollywood office, leaves tomorrow for San Francsco, Seattle and Chicago prior to returning to New York.

•

Jacob Soltz, owner of the Rhumba Theatre, Pittsburgh, and Dorothy Leiffand, recently married, will hold a reception for friends and Variety Club members at the William Penn Hotel there March 17.

•

Fred Lange, general European representative for Paramount, arrived from Lisbon on the *American Clipper* yesterday. He is here for his annual home office visit.

•

Major Peter P. Devlin, producer of travel subjects, is the father of a boy, born to Mrs. Devlin yesterday at Bay Ridge Hospital, Brooklyn.

•

Helen Hayes will be guest of honor today at a luncheon and fashion show in St. Louis for the city's Finnish Relief Fund drive.

•

Lester Sturm, 20th Century-Fox branch manager in Detroit, left for his headquarters yesterday after conferring at the home office.

•

Douglas Whitney, David Carter and James Clark of the RKO home office are in St. Louis on an exploitation assignment.

•

Leon Netter returned to the Paramount home office yesterday following a three weeks trip to Florida and Cuba.

•

Henry Wendt, manager of the Kirkwood, Mo., is the father of a girl, born last week to Mrs. Wendt.

•

Sam Dembow, Jr., Irving Kaye Davis, Leon Netter, Leonard Goldenson, John D. Hertz, Jr., Frank McHugh and Lee Shubert at Sardi's for lunch yesterday.

•

Albert Lewin left for the Coast by plane yesterday. David Loew will remain here until Friday.

•

David Bernstein, treasurer of Loew's, has returned from a Florida vacation.

•

George Walsh was a visitor at the Paramount home office yesterday.

•

Walter J. Hutchinson, director of foreign distribution for 20th Century-Fox, and Leslie Whelan, foreign advertising and publicity director, have returned from Florida.

WANTED
SCRATCHED FILMS
You can get extra revenue out of your prints by having us restore your scratched film to practically new condition. Telephone CO 5-6767 for our low prices.
AMERICAN RECONO, INC.
245 WEST 55th ST., NEW YORK, N. Y.
Negative-Positive-Technicolor Film Rejuvenated

Storm Damages Grosses; Broadway Take 35% Off

(*Continued from page 1*)

office yesterday. Generally, however, the take on Sunday night was off about 20 per cent in the city subsequent runs and off about 40 per cent up-State and in Staten Island.

The Century Circuit house in Huntington, L. I., was forced to close yesterday when electric service was interrupted. However, the St. James, in Asbury Park, N. J., a Walter Reade house, benefited despite the storm. In a tieup with local school officials, children were dismissed early to attend a showing of "Swiss Family Robinson."

At the Rustic Cabin, a restaurant at Englewood, N. J., the lights blew out while Reggie Childs was conducting his band for a broadcast over NBC-Blue. The musicians were forced to play by the light provided by pocket flashes.

All radio stations disrupted their schedules to broadcast news about traffic conditions and warning motorists to leave their cars home. Suburban schools requested WOR to broadcast notices that school had been suspended.

Shortly after 10 A. M. the WOR 40-foot high frequency transmitter atop a building at 1,450 Broadway cracked under the weight of the ice and police were forced to rope off the street below and lash the mast to the building.

Stations carried courtesy announcements during the period WABC was off the air.

(*Continued from page 1*)

the 11th stanza. The 11th week of the same film at the Astor continued at capacity with an estimated $22,000.

At the Roxy, the popular-priced run of "The Blue Bird," plus a stage show, started Friday and drew an estimated $15,500 for the first three days. "Pinocchio," in its fourth week at the Center, had its second biggest day last Saturday when it drew an estimated $10,500, but suffered from the bad weather on Sunday. It grossed an estimated $16,800 for the weekend with an estimated $33,000 indicated for its fourth week which closes tomorrow.

"Abe Lincoln in Illinois," with a stage show, garnered an estimated $48,000 for the first four days of the second week at the Music Hall. An estimated $60,000 is indicated for the week. "Too Many Husbands" starts Thursday.

At the Strand, "The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker and his band on the stage, drew an estimated $24,000 for Friday, Saturday and Sunday of the second week. "Three Cheers for the Irish" is the next film for the Strand.

"Grapes of Wrath" at the Rivoli is still grossing well and should do an estimated $25,000 for its sixth week. "It's a Date" is scheduled to follow "Grapes of Wrath" on March 21.

A revival of "Hell's Angels" brought an estimated $5,500 for one week at the Rialto. "Marines Fly High" is the current attraction. Weekend business at the Globe, where "Castle on the Hudson" was previewed Saturday with "Convicted Woman," was good for an estimated $7,500. "Convicted Woman," shown singly the previous week, drew only an estimated $5,000.

Terry DeLapp Quits Post at Paramount

Hollywood, March 4.—Terry DeLapp, Paramount studio publicity director, today resigned his post in order to handle accounts independently. No change is contemplated in the department set-up by Cliff Lewis, who is in charge of studio advertising and publicity.

William Yost Dies

William Yost, 60, veteran New York exhibitor, died suddenly yesterday morning while on a vacation at Miami Beach. He operated the Superior at 31st St. and Third Ave., and the 34th St. Theatre, on East 34th St. A daughter, Frances, a sister and a brother survive. The body is en route here from the resort.

Publishers Guests At Ampa Luncheon

Representatives of publishing houses, book critics and authors will be the guests at Ampa's luncheon on Thursday at Jack Dempsey's Restaurant. Establishment of an annual award by the publishers for the best film taken from a book will be announced.

Col. Theodore Roosevelt, vice-president of Doubleday-Doran, will act as toastmaster for the publishers. Katherine Brown of Selznick International, John Selby, book critic of the Associated Press; Gilbert Seldes, and Annie Laurie Williams, literary agent, also will speak.

Deals for 'Pinocchio' Made for 20 Circuits

RKO has closed deals for "Pinocchio" with 20 circuits, with the result that several hundred day-and-date openings have been set for the picture for Easter week, beginning March 24.

Among circuit deals closed are those with Warners, RKO, Publix-Shea, Famous Players Canadian, Jay Emanuel, Loew's New England, Comerford, Schine, Publix-Netco, Interstate, Butterfield, Maine & New Hampshire, Fabian, Chatkin-Katz, S. A. Lynch, Sparks, Cooper, Malco, Dent and Rialto, Salt Lake City.

Industry Protesting Library Service Cut

Curtailing of the service rendered by the circulating picture department of the New York Public Library has brought protests from many sources, including the film industry.

Harold Hendee, director of research of RKO, has written to Franklin F. Hopper, head of the library's picture department, expressing the hope that the service will be resumed on a full-time basis, since it is of considerable research value as a source material.

An increase in subscribers and the growth of the collection, in contrast to a cut in the appropriation for its maintenance, has forced the department to close on Wednesdays and Fridays, effective this week.

Film companies use the picture collection for authentic material on backgrounds, costuming and the like in film production. The collection numbers about 1,000,000 illustrations, including about 50,000 motion picture stills.

Ontario Bans 'Time' Subject on Canada

(*Continued from page 1*)

ning of "Canada at War" in Ontario that Premier Hepburn has brought political pressure to bear in forcing the censor ban.

He declared that the March of Time is shown everywhere in the world except Russia, Nazi Germany, and now the Province of Ontario. He pointed out that the subject is being shown in every Canadian province except Ontario. He said necessary steps have been taken to prepare an appeal from the censor's ruling.

Protests Free Film Exhibit at the Fair

(*Continued from page 1*)

plain how pictures are made and where screen tests may be given. This would be sponsored by all major companies with the cooperation of equipment companies and others. The committee's recommendations will be discussed at a meeting of major company presidents at the Hays office Thursday.

Initiative for the proposal came from World's Fair officials.

Ray J. Dunn, assistant to John Halleran, acting president of the Borough of Queens, has issued a statement assailing the "obvious indifference" of the film industry to the Fair.

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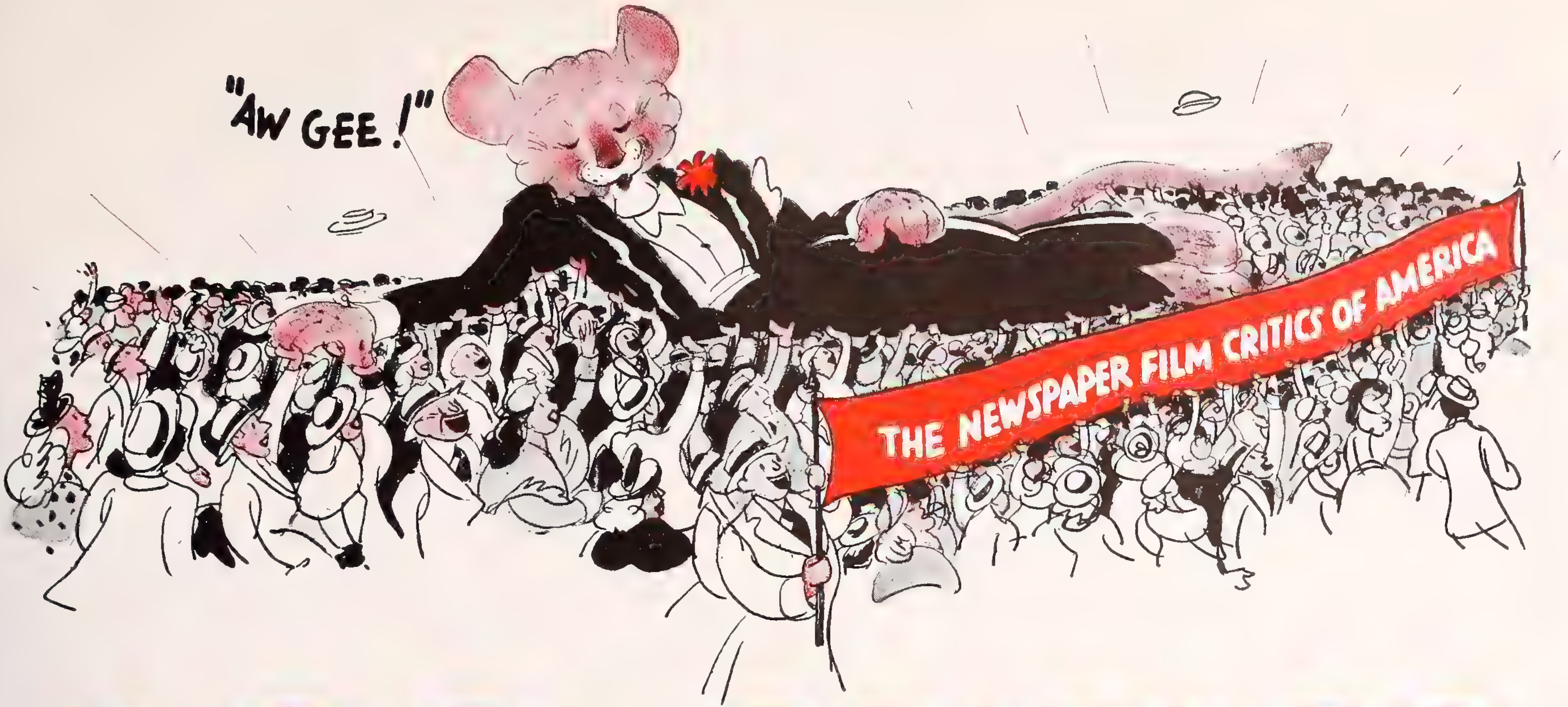
"AW GEE!"
THE NEWSPAPER FILM CRITICS OF AMERICA

600 CRITICS PICK LEO!

Here's what it means to you!

Certainly we're proud, but more important is this:
"The Newspaper Film Critics of America" is an organization
That spans the nation.
More than 600-strong, its voice is the voice of America.
Its annual vote just published throughout the United States
Solidifies the position of M-G-M as the industry's Leader
And of every M-G-M exhibitor as the Leader in his community!
Here are the results of the national vote:
M-G-M made the Best Picture of the Year (*"Goodbye Mr. Chips"*)
M-G-M had the Best Actor of the Year (*Robert Donat*)

(over)

(continued)

M-G-M had 5 of the Ten Best Pictures of the Year ("*Mr. Chips*", "*Ninotchka*", "*Pygmalion*", "*The Women*", "*Wizard of Oz*")

Nearest competing companies had 2,1,1,1 respectively!

These results carry prestige that means money and security for you.

They confirm many other polls by

Exhibitors and the press and in the trade.

The leadership of Leo remains undisputed, unchallenged!

In the box-office headlines all season long, he continues now with

"Northwest Passage" in Technicolor (*Spencer Tracy*); "Young Tom Edison" (*Mickey Rooney*); "Broadway Melody of 1940" (*Fred Astaire, Eleanor Powell*); "Strange Cargo" (*Clark Gable, Joan Crawford*).

These are just a few and they will be followed by

Other great M-G-M attractions such as

"Edison, The Man" (*Spencer Tracy*); "Waterloo Bridge" (*Vivien Leigh, Robert Taylor*); "Susan and God" (*Joan Crawford, Fredric March*); "New Moon" (*Jeanette MacDonald, Nelson Eddy*); "The Mortal Storm" (*Margaret Sullavan, James Stewart*) and many other big entertainments.

To the 600 critics of The N. F. C. of A.

Who have honored us, M-G-M says:

"We are grateful for your vote of confidence

"It is not our habit to rest on our laurels—

"We go forward at top stride in behalf of

"Exhibitors and public who have faith in us.

"We hope likewise to merit your confidence

"Again this year—

"Thanks!"

"Thanks folks and now back to work!"

Theatre and Personnel Notes

Open on Long Island June 1

Morris Kutisker's new theatre, the Mayfair, under construction at 40th Ave. and 10th St., Long Island City, is scheduled to open June 1. Amusement Supply Co. is equipping and furnishing the house.

Joins Canadian Company

TORONTO, March 4.—W. Evan Jones, formerly with Technical Service Co., has become general manager of Canadian Sound Equipment, Toronto, which has taken over the former business following the retirement of Sam Goldhamer. The new company handles RCA special products and service for theatres.

Sells Two Theatres

ST. LOUIS, March 4.—Walter Light, owner of the Joy and Gem in Chester, Ill., has sold both to the Egyptian circuit.

Rubinsky Takes House

ST. CLAIRE, PA., March 4.—Mark Rubinsky has taken over the operation of the Hollywood, making it his fifth house in this region.

Indicted with Nick, Brady Goes Free

ST. LOUIS, March 4.—State representative Edward M. Brady was freed today of a charge of extorting $10,000 from theater owners in 1936 when Circuit Attorney Franklin Miller dismissed the indictment at the suggestion of Circuit Judge Thomas J. Rose.

Brady had been jointly indicted with John P. Nick, ousted czar of the Motion Picture Operators Union, Local 143, on a charge of extorting $10,000 from theatre owners in 1936 to forestall a wage increase demand by the operators. Nick was also freed after Judge Rowe directed a verdict of acquittal on Jan. 11.

One other indictment remains as the result of a grand jury's investigation into Nick's affairs. This charges Nick and Clyde Weston, former business agent of the union, with extorting $6,500 from theatre owners in 1937.

Trust Suit Against B-K Starts Thursday

CHICAGO, March 4.—Trial of the Gary Theatre Corporation suit against B. & K. and Warner Theatres and major companies will get started Thursday in Federal Court under Judge Holly. Attorneys for both sides refuse to disclose what witnesses they will call. It is understood that circuit executives will be called first.

Zukor on Short Wave

Adolph Zukor, chairman of the board of Paramount, spoke from Rio de Janeiro last night on a short wave broadcast, but the reception in New York City was marked by such severe static that it was impossible to hear his words with any degree of clarity.

British Theatres Conquer War Emergency Obstacles

By AUBREY FLANAGAN

LONDON, March 4.—An early stimulus to British production and the consequent improvement of film supplies is foreseen in the annual report of the Cinematograph Exhibitors Association, just made public.

The report is largely concerned with exhibitor problems arising from the war emergency, including the dislocation of bookings, the abolition of low admission matinees, new safety regulations, and the effort to bring film employment activity within the classification of so-called "reserve occupations."

The C.E.A. General Council compliments itself in the report on the organization's war-time achievements. Cited specifically are the development and maintenance of excellent relations with the Home Office of the Government, the settlement of booking disputes with distributors, and the "quick and effective work" on the reopening of theatres which were closed following the declaration of war in September.

The blackout is described as the one remaining "unsurmountable" obstacle. The evacuation from London on the part of distributors shortly after the outbreak of war is criticized in the report as "not a model of organization."

With reference to the pre-war period, the report claims credit for "some excellent accomplishments," notably the removal of the admission tax instituted by Sir John Simon, Chancellor of the Exchequer, an agreement to bring about a reduction of Western Electric sound equipment service charges and the prevention of the institution of Bank Night in theatres throughout England.

Roosevelt in Chicago Discusses 5c Films

CHICAGO, March 4.—James Roosevelt is here for conferences with Mills Novelty Co. officials regarding nickel movie machines. Roosevelt said he would handle production of shorts to be used, but Mills would arrange locations and distribution.

Roosevelt said that production of shorts would start late this Spring. Roosevelt also stated machines would not be competitive to theatres in any way. He will set up a special production department for shorts entirely disconnected from his feature production activities.

Plans for nickel machines are looked upon with great interest by the local operators' union who, according to Business Manager John Smith, will try to arrange for union maintenance men to handle machines.

Golden Resumes Tour

Following four days of Coast conferences with W. Ray Johnston, president; Scott R. Dunlap, production chief, and Howard Stubbins and Ray Olmstead, of the Los Angeles exchange, Edward A. Golden, Monogram sales manager, has resumed a tour of company exchanges. Golden expects to arrive at the home office on March 17.

Goodman in Mexico

Morris Goodman, Republic vice-president in charge of foreign distribution, has arrived in Mexico City on the first lap of a four-month tour of Latin America. He will leave this week for Panama, following which he will visit Republic offices in Ecuador, Peru, Chile, Argentina, Brazil, Trinidad, Venezuela, Puerto Rico and Cuba.

Files RKO Claim

J. & W. Seligman & Co., depositary company for RKO debentures during reorganization proceedings, filed an application in U. S. District Court yesterday for a final allowance of $8,750. The company acted as depositary from 1935 to 1940.

Coast Flashes

HOLLYWOOD, March 4. — Norman Moray, Vitaphone sales manager, arrived at the Warner studio today from San Francisco for conferences on the 1940-'41 short subjects program. He will remain about two weeks and will then go to Denver, Salt Lake City and Seattle before returning to New York.

Joseph Moskowitz, Twentieth Century-Fox studio representative in New York, arrived today for a story conference at the studio.

Clarice Robins, Universal employe since 1912, first in New York and for the past 12 years as secretary to Maurice Pivar, studio head of the editorial (cutting) department, died suddenly at her home in Hollywood today. She was 48 years old and is survived by her sister.

Samuel Marx Quits Columbia Story Post

HOLLYWOOD, March 4.—Samuel Marx, for the past two years Columbia story editor, has resigned and plans to enter production. Marx has been a story editor for 10 years, having been with M-G-M for six and a half years and with Goldwyn for a year and a half.

D. A. Doran, Columbia Eastern story editor, has been mentioned to succeed him, but no definite appointment has been made as yet. Marx may continue as a producer with Columbia. Marx also has written for the screen and acted as an associate producer.

F. & M. Chief Testifies

ST. LOUIS, March 4.—Harry C. Arthur, vice-president of Fanchon & Marco, was the sole witness in F. & M.'s suit to recover $42,200 in legal fees from John S. Leahy and two associates today.

30% of 'Wind' Houses Take 10% Guarantee

Only 30 per cent of exhibitors who have booked "Gone With the Wind" have taken advantage of the profit guarantee of 10 per cent of the gross offered by M-G-M when negotiating contracts for the film.

This was said by William F. Rodgers, general sales manager of M-G-M, who returned yesterday from the studio. Rodgers said that about 70 per cent of the playdates were on a straight 70 per cent rental without a guarantee of profit.

With regard to the guarantee, Rodgers said that the great majority of playdates has returned a profit to the theatre greater than 10 per cent, but that the company has had to make it up in a few cases.

In one instance, said Rodgers, a theatre grossed as much on the opening day as it usually grosses in a week.

While on the coast Rodgers ordered 50 additional prints from the color laboratories to meet the demand. These are expected in 30 days.

Same Film Delivery Next Year—Skouras

Spyros Skouras, operating head of National Theatres, who returned yesterday from the Coast, reports that the major studios are planning to deliver next season about the same number of pictures as during the present one.

Skouras and other executives of the circuit conferred with production heads at the studios. He says that from the information he obtained while there, exhibitors may expect "a fine crop of pictures" in the next few months.

Trust Suit Accuses Republic and Majors

(Continued from page 1)

to obtain any product except Warners and Columbia, which, he contends, was insufficient for the theatre. All other major company product and that of Republic was sold to Fox Midwest's Rivoli in the same town, according to the complaint.

Hollingsworth asks $234,300 in triple damages.

Among the defendants named are Fox Beatrice Theatres Corp., Fox Midwest, Elmer C. Rhoden, Loew's, Paramount, United Artists, RKO, Republic, Universal and 20th Century-Fox.

France Halts Film Cash Withdrawals

(Continued from page 1)

$2,000,000 annually, according to the estimate of officials.

Futhermore, the fact that only 175 American pictures were permitted entry into France by the Government also affected American revenue, as it cut down the possible distribution to each American company to only from 12 to 20 films annually.

As the war menace grows, other countries abroad are expected to erect bars either limiting or altogether prohibiting the withdrawal of funds.

Chicago Gives Big $15,000 To 'Williams'

CHICAGO, March 4.—"Northwest Passage" hit a smart $21,000 at the United Artists. "Amazing Mr. Williams" at the State-Lake grossed an estimated $15,000. The weather was unsettled.

Estimated takings for the week ending. Feb. 28—March 2:

"The Light That Failed" (Para.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 3rd week. Gross: $5,600. (Average, $6,000)
"Shop Around the Corner" (M-G-M)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Benny Goodman & Band. Gross: $31,600. (Average, $32,000)
"His Girl Friday" (Col.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,800. (Average, $5,000)
"Gone With the Wind" (M-G-M)
ORIENTAL—(3,200) (75c-$1.10-$1.50) 7 days. 5th week. 3 shows daily. Gross: $45,500. (Average, $13,000)
"Swiss Family Robinson" (RKO)
"Honeymoon Deferred" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $10,600. (Average, $12,000)
"Geronimo" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $6,700. (Average, $11,000)
"Amazing Mr. Williams" (Col.)
STATE-LAKE—(2,700) (25c-35c-50c) 7 days. Stage: Luis Alberni and Revue. Gross: $15,600. (Average, $12,000)
"Northwest Passage" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $21,000. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days, 5th week, 2 shows daily. Gross: $15,000.

'His Girl Friday' Grosses $4,400

ST. LOUIS, March 4.—"Gone With the Wind," in its fifth week at the Loew's State, grossed $28,000. "His Girl Friday" drew $4,400 in its fourth week at the Missouri.

Estimated takings for week ending Feb. 29:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $28,000. (Average, 25c-40c-55c-scale, $13,000)
"His Girl Friday" (Col.)
"My Little Chickadee" (RKO)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,400. (Average, $4,000)
"Swiss Family Robinson" (RKO)
"Blondie on a Budget" (Col.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $11,000. (Average, $11,000)
"The Light That Failed" (Para.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $10,500. (Average, $11,500)

Benjamin Monogram Sales Head in K. C.

William Benjamin, formerly Midwestern district sales manager for Republic, has been appointed vice-president and sales manager of the Monogram exchange in Kansas City.

Benjamin has been associated with the industry since 1913, when he held a saelsman's post for the Central Film Co. in Indianapolis. His past affiliations also include Universal, RKO and Columbia.

Loew-Lewin Set Third

HOLLYWOOD, March 4.—Third production from the recently formed David L. Loew-Albert Lewin, Inc., will be "Mothers and Sons," an original idea which Irwin Shaw, New York playwright, has been engaged to adapt for the screen. "Flotsam" and "Night Music" will be the first two films which United Artists will release.

Key City Grosses Reach $1,777,300 in 154 Houses

Theatre receipts from 154 key city houses for the week ending Feb. 23-24 totaled $1,777,300, according to MOTION PICTURE DAILY'S compilation of major city box-office reports.

The total was one of the highest for the past year, being exceeded only by the three preceding weeks and the year-end holiday week, ending Jan. 5-6, when 159 houses reported $2,077,200.

For the week ending Feb. 2-3, 157 theatres aggregated $2,171,600; for the week ending Feb. 9-10, the same number of houses reported a total of $2,025,300, and for the week ending Feb. 16-17, the total was $1,785,200 from 151 theatres.

Following is a tabulation listing the total gross by weeks, and the number of theatres involved, from Jan. 1, 1939:

Jan. 5- 6, 1939	151	$1,829,822
Jan. 12-13	145	1,372,400
Jan. 19-20	146	1,368,322
Jan. 26-27	145	1,345,715
Feb. 2- 3	147	1,469,400
Feb. 9-10	147	1,494,600
Feb. 16-17	146	1,393,100
Feb. 23-24	147	1,417,700
March 2- 3	146	1,400,000
March 9-10	147	1,352,050
March 16-17	155	1,366,800
March 23-24	154	1,439,600
March 30-31	151	1,322,225
April 6- 7	151	1,283,100
April 13-14	154	1,639,300
April 20-21	149	1,432,900
April 27-28	151	1,401,600
May 4- 5	154	1,386,280
May 11-12	155	1,352,845
May 18-19	154	1,318,300
May 25-26	155	1,274,050
June 1- 2	153	1,256,050
June 8- 9	143	1,141,700
June 15-16	141	1,133,950
June 22-23	137	1,150,960
June 29-30	138	1,168,750
July 6- 7	125	1,159,550
July 13-14	136	1,146,600
July 20-21	136	1,130,620
July 27-28	136	1,190,000
Aug. 3- 4	140	1,175,850
Aug. 10-11	137	1,276,750
Aug 17-18	132	1,233,800
Aug. 24-25	140	1,401,150
Aug. 31-Sept. 1	147	1,410,800
Sept. 7- 8	145	1,490,144
Sept. 14-15	148	1,409,600
Sept. 21-22	151	1,399,745
Sept. 28-29	154	1,487,900
Oct. 5- 6	154	1,389,650
Oct. 12-13	137	1,279,000
Oct. 19-20	147	1,387,550
Oct. 26-27	147	1,363,300
Nov. 2- 3	149	1,371,400
Nov. 9-10	138	1,386,200
Nov. 16-17	154	1,487,000
Nov. 23-24	154	1,421,200
Nov. 30-Dec. 1	154	1,565,300
Dec. 7- 8	153	1,510,750
Dec. 14-16	147	1,201,750
Dec. 21-22	149	1,182,900
Dec. 29-30	147	1,493,200
Jan. 5-6, 1940	159	2,077,200
Jan. 12-13	145	1,333,150
Jan. 19-20	140	1,453,300
Jan. 26-27	151	1,507,800
Feb. 2- 3	157	2,171,600
Feb. 9-10	157	2,025,300
Feb. 16-17	151	1,785,200
Feb. 23-24	154	1,777,300

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Press Dinner April 12

About 3,000 are expected at the Eleventh Annual Dance and Entertainment of the Press Photographers Association of New York, at the Hotel Astor on April 12. Committee of arrangements is now making preparations for the event. William C. Green of the New York *World-Telegram*, is president of the association.

Develop New Arc Lamp

Designed to provide the small theatre with an economic means of high intensity screen illumination, the National Carbon Co. has developed a "one kilowatt" arc lamp which, it is said, is on the same level with the screen illumination in large houses. New lamp is applicable to theatres with screens up to 18 feet in width.

'Passage' Is Strong Lead In Twin Cities

MINNEAPOLIS, March 4.—"Northwest Passage" cleared $12,000 at the State in Minneapolis, and $7,800 at the Paramount in St. Paul. "Gone With the Wind" continued strong in b[illegible] cities.

Estimated takings for the week ending March 1:

Minneapolis:

"Northwest Passage" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $12,000. (Average, $4,000)
"Remember the Night" (Para.)
ORPHEUM—(2,900) (25c-40c) "The Dead End Kids" in person. Gross: $10,700. (Average, $4,400)
"Gone With the Wind" (M-G-M)
CENTURY—(1,000) (75c-$1.10) 4th week. Gross: $16,000. (Average, $4,000)
"Tower of London" (Univ.)
GOPHER—(900) (25c) 7 days. Gross: $4,000. Average, $3,400
"Danger on Wheels" (Univ.)
"Man Who Wouldn't Talk" (20th-Fox)
ASTER—(900) (15c-25c) 7 days. Gross: $2,400. (Average, $1,500)
"Meet Dr. Christian" (RKO)
ESQUIRE (25c-40c) 7 days. Gross: $1,700. (Average, $1,200)
"We Are Not Alone" (W. B.)
WORLD—(400) (25c-40c) 7 days. Gross: $2,300. (Average, $1,100)

St. Paul:

"Northwest Passage" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $7,800. (Average, $4,400)
"Gone With the Wind" (M-G-M)
ORPHEUM—(2,000) (75c-$1.10) 6 days, 4th week. Gross: $10,400. (Average, $3,200)
"Invisible Stripes" (W. B.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,400. (Average, $1,800)
"Lion Has Wings" (U. A.)
WORLD—(400) (25c-35c) 7 days. Gross: $1,000. (Average $1,100)
"Sante Fe Marshal" (Para.)
"High School" (20th-Fox)
TOWER—(1,000) (25c) 7 days. Gross: $2,350. (Average, $1,600)

'Wind' at $20,500 Is Montreal Lead

MONTREAL, March 4.—"Gone With the Wind" registered $20,500 for its second week at Loew's. "Broadway Melody of 1940" at the Palace took $7,000.

Estimated takings for the week ending March 1:

"The Fighting 69th" (W. B.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $5,000. (Average, $8,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.13) 7 days, 2nd week. Gross: $20,500. (Average, $8,000)
"Eternally Yours" (U. A.)
"A Chump at Oxford" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)
"Broadway Melody of 1940"
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,000. (Average. $10,000)
"Invisible Stripes" (W. B.)
"Young as You Feel" (20th-Fox)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $3,000. (Average, $5,500)

Variety Club Award To Martha Berry

PITTSBURGH, March 4.—Martha Berry, recipient of the Variety Clubs of America second annual Humanitarian Award, is expected to receive the citation and plaque in person April 20 at the annual Variety dinner in Dallas, according to National Chief Barker John Harris.

Between 35 and 40 members of the local tent are planning to attend the Texas conclave, double the number that went to Detroit for last year's annual meeting.

Whew!!!!

the big WIND

is on the way...

TYPHOON

IN TECHNICOLOR!

DOROTHY
LAMOUR

ROBERT
PRESTON

A Paramount Picture with

LYNNE
OVERMAN
J. CARROL NAISH

Screen Play by Allen Rivkin
Based on a Story by Steve Fisher
Directed by LOUIS KING

EXCUSE OUR HASTE . . . BUT . . .

In your enthusiasm for the coming Paramount hits, "Sidewalks of London," "Road to Singapore," "Dr. Cyclops" don't forget to prepare, now, to play that tropic tornado of love thrills, of action thrills . . . "Typhoon" and reap a terrific box office whirlwind. It's due May 17 . . . and it's emotional dynamite!

Paramount Pictures

'Grapes of Wrath' Grosses Revealed

Charles E. McCarthy, director of advertising and publicity of 20th Century-Fox, has announced the following comparative grosses on "The Grapes of Wrath":

In Los Angeles the first five days of the picture's simultaneous run in the Chinese, State and Four Star theatres the picture grossed $28,835 [illegible]d at the State it topped "The Rains Came" by $1,017.

At the Paramount in Oakland it grossed $11,727 in four days, topping "The Rains Came" by $1,400; at the Fox in San Diego the four-day gross was $6,783, topping "Rains" by $1,200; the $875 opening day in Pomona was $25 better than "Rains"; the Santa Barbara opening of $833 topped "Rains" by $50 and in Fresno the opening day's gross of $1,587 topped "Alexander's Ragtime Band" by $437, "Jesse James" by $550 and "The Rains Came" by $220.

At the Orpheum in Tulsa, Okla., the only opening in that state, the picture grossed $4,107 in three days, topping "Rains" by $244.

Other grosses reported included:

Denver Theatre, Denver, six days $9,214, better than "Rains" by $600; Fox Theatre, Detroit, three days $17,609, better than "Rains Came" by $1,900; Hippodrome, Cleveland, two days $9,608, better than "Rains" by $1,000; Majestic, Providence, three days $5,403, better than "Rains" by $950; Buffalo Theatre, three days $8,537, better than "Rains" by $400; Chicago Theatre, Chicago, three days $22,251, topping "Rains" by $2,000; Indiana Theatre, Indianapolis, opening day $1,479, topping "Rains" by $75; Poli, Hartford, Conn., four days $6,692, better than "Rains" by $980; Poli, Springfield, Mass., four days $5,322, better than "Rains" by $100; Palace, Waterbury, Conn., two days $3,224, better than "Rains" by $100; Lincoln Theatre, Springfield, Ill., three days $3,180, topping "Rains" by $450; and the New Theatre, Baltimore, two days $3,972, better than "Rains" by $100.

Goldenson, Dembow Going to Minnesota

Leonard Goldenson and Sam Dembow, Jr., Paramount home office theatre executives, will leave for Minneapolis at the end of the week to confer with officials of Minnesota Amusement Co.

Goldenson and Dembow returned to New York yesterday after conferring with B. & K. officials in Chicago and with Earl Hudson of United Detroit Theatres in Detroit. During their stay in the latter city a deal was approved by which United Detroit acquired the Madison, a subsequent run house there.

On their return to New York from the Middle West about March 18, Goldenson and Dembow will meet here with E. V. Lucas and William Jenkins of Atlanta on a new operating deal for the Paramount houses in the Lucas & Jenkins territory.

Fox Parley on April 15

CHICAGO, March 4.—National sales convention of 20th Century-Fox may be held at the Blackstone Hotel here starting April 15.

RKO Ready For Big Spurt In Production Activities

HOLLYWOOD, March 4.—RKO is poised for a sudden spurt of production activity, and is engaged in an intensive preparation program. LEE MARCUS, executive producer, has been given six important films on 1940-'41 schedule to guide, and he in turn assigned to associate CLIFF REID "Anne's House of Dreams," starring ANNE SHIRLEY; two of GENE STRATTON PORTER'S stories, "Laddie," with TIM HOLT, and "Freckles," with JIMMY LYDON, "Man Without a World," and an untitled PETER B. KYNE story. To associate HOWARD BENEDICT he assigned "Men Against the Sky," aviation picture.

JAMES HILTON, noted author, has been signed to write the script for "Water Gypsies," which will star MAUREEN O'HARA. The studio recently purchased "Wrapped in Cellophane," from VINA DELMAR and signed BARTLETT CORMACK to write the adaptation; "Sanda Mala," novel by MAURICE COLLIS, and signed GENE FOWLER to write the script; "Two on an Island," ELMER RICE'S current comedy on Broadway; and "The Unbreakable Mrs. Doll," novel by GRACE PERKINS, as a vehicle for CAROLE LOMBARD.

M-G-M has purchased "Song of Love," story by ROBERT and CLARA SCHUMANN, which was written by BERNARD SCHUBERT and MARIO SILVA. . . . Paramount has purchased "The Duchess Rides High," M. COATES WEBSTER story for FRED MACMURRAY and BETTY FIELD. . . . WILLIAM ANTHONY MCGUIRE will produce a picture based on the life of Sergeant Sam Dreben, who because of his war adventures was nicknamed "the fighting Jew." . . . ARTHUR HORNBLOW, JR., has obtained permission to film much of "I Wanted Wings," Paramount, at Randolph and Kelly Fields. . . . JOAN FONTAINE gets the feminine lead of "The Tree of Liberty," which FRANK LLOYD will make for Columbia.

Columbia has purchased for $1,500 a story by 15-year-old JOANNE BENEDICT, of Hanford, Cal., titled "Joan of the Ark." A high school girl, she sent her story to FRANK CAPRA, who submitted it to Columbia executives. . . . IRENE RICH joins the cast of M-G-M's "The Mortal Storm." . . . Republic will star JUDY CANOVA in "Scatterbrain," original by JACK TOWNLEY. . . . DON WILSON, radio announcer, will play "Slim" in "The Round-Up," HARRY SHERMAN "special" for Paramount. . . . SALLY CAIRNS draws the feminine lead of Monogram's "Covered Wagon Trails." . . . ROBERT MCGOWAN will direct Monogram's "Tomboy," with MARCIA MAE JONES and JACKIE MORAN.

LOUIS WEISS and SHIRLEY GORSS, Yiddish theatre stars, have been signed by SID BLAKE, in charge of production for the Jewish Art Pictures, Inc., to star in "Monkey Business," first of four Yiddish pictures BLAKE will produce. BLAKE has also signed a deal with Duo Art Pictures, Inc., of New York, to produce two all-Negro pictures during the next two months. . . . FRED NIBLO, pioneer film figure, makes a comeback—not as a director, but as an actor. He has been signed for a role in Paramount's untitled "Henry Aldrich" picture.

PATRIC KNOWLES will be ANNE SHIRLEY'S leading man in "Anne of Windy Poplars." . . . LEE GARMES' production for RKO, "And So Goodbye," is retitled "Beyond Tomorrow." . . . DIANA LEWIS has been cast in M-G-M's "Andy Hardy Meets a Debutante." . . . Paramount has loaned FRANCES FARMER to EDWARD SMALL for "South of Pago Pago." . . . 20th Century-Fox has retitled "Dance With the Devil" as "Johnny Apollo." . . . The studio has purchased "Rain or Shine," by VINA DELMAR. . . . FLORENCE RICE has been borrowed from M-G-M by 20th Century-Fox for the lead in "Million Dollar Diamond."

Cosmopolitan Deal With Fox Expires

Cosmopolitan Productions' one-year releasing deal with 20th Century-Fox has expired and there have been no discussions regarding a renewal.

The deal, made a year ago, called for the release of four features under the Cosmopolitan trademark. The contract was fulfilled with the release of "20,000 Men a Year" last October.

'Passage' Hits Good $8,800, Leads Seattle

SEATTLE, March 4.—"Northwest Passage" was strong here with $8,800 at the Fifth Avenue, while "Gone With the Wind" drew $8,500 in its fifth week at the Music Box. The weather was rainy.

Estimated takings for the week ending March 1:

"My Little Chickadee" (Univ.)
"Married and in Love" (RKO)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)

"Northwest Passage" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $8,800. (Average, $7,000)

"His Girl Friday" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 4th week. Gross: $4,300. (Average, $5,000)

"Gone With the Wind" (M-G-M)
MUSIC BOX — (950) (75c-$1.15-$1.50) 7 days, 5th week. Gross: $8,500. (Average, $4,000)

"The Man From Dakota" (M-G-M)
"Young as You Feel" (20th-Fox)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $5,400. (Average, $6,000)

"Charlie McCarthy, Detective" (Univ.)
PALOMAR—(2,500) (20c-25c-40c) 7 days. Vaudeville headed by Milton Douglas & Co. Gross: $4,900. (Average, $5,000)

"Swiss Family Robinson" (RKO)
"The Saint's Double Trouble" (RKO)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,200. (Average, $6,000)

Reseat Shea's Hippodrome

BUFFALO, March 4.—Shea's Hippodrome here has completed installation of more than 2,000 new seats, according to Vincent R. McFaul, general manager of the Shea circuit.

DRUMS OF FU MANCHU
Suggested by stories by
SAX ROHMER
with
HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
"We're dealing with a murderous madman, and we can't tell who will be the next victim of Fu Manchu!"
A Republic SERIAL IN 15 CHAPTERS

Short Subject Reviews

"Home Movies"

(M-G-M)

Robert Benchley can make even a projection room preview audience howl and he demonstrated his ability in no uncertain terms in "Home Movies." Benchley, in his usual manner, speaks learnedly of the technique of photography and then proceeds to demonstrate his own inexpertness. He exhibits a comical selection of shots to a bored audience of guests. One of his best. Running time, 9 mins.

"Night Descends on Treasure Island"

(FitzPatrick-M-G-M)

A "Traveltalk" showing the San Francisco World's Fair after dark. The color photography of night scenes is impressive but is devoted only to a series of fountains and buildings. Highlight of the reel is a series of shots showing the art masterpieces exhibited at the Fair. These shots are almost perfect reproductions and the commentator explains the significance of each. A view of the colored searchlights against the sky ends the reel. Running time, 9 mins.

"Puss Gets the Boot"

(Ising-M-G-M)

Here is a lively color cartoon which should draw chuckles from any audience. A cat plays with a mouse until the mouse becomes desperate. However, the cat is threatened with eviction if he continues to break dishes around the house, and the mouse seizes the opportunity to avenge himself on his tormentor. Very clever animation. Running time, 8 mins.

"What's Your I. Q.?"

(M-G-M)

Pete Smith takes advantage of the high interest in quiz shows over the radio to test the film audience's knowledge. The questions are tough ones with four answers submitted. The audience keeps score itself if it picks the right answer. Mostly, the questions involve little known facts about familiar institutions and objects. Lots of fun. Running time, 8 mins.

"Stuffie"

(M-G-M)

Pete Smith describes a dog's life from a "dogs-eye" viewpoint. Little Stuffie, a mongrel, is jealous of a huge St. Bernard. The latter wins the affections of Stuffie's mistress when Stuffie gets lost. However, they patch up their differences and, finally, the St. Bernard is killed in a fire after rescuing Stuffie. It is an interesting novelty and should appeal to dog-lovers. Running time, 11 mins.

"Northward Ho!"

(M-G-M)

The monumental task of producing a feature length motion picture film is shown in this "Miniature." The problems of constructing an entire village for an outdoor location are described, with M-G-M's "Northwest Passage" as the case in point. It is a super-trailer for exhibitors who have booked "Northwest Passage," but stands in its own right as an interesting film for those who like to see how films are made. Running time, 9 mins.

"Finland Speaks"

(Hoffberg Productions)

In the nature of a travel subject, this pictures Finland as a scenically beautiful country, describes its industrial development, building advancement and agriculture. Only at the end are scenes supposedly picturing the bombing of its cities by the Russians, and a plea for world support in the country's fight to maintain its independence. Running time, 10 mins.

Hollywood Review

"Strange Cargo"

(M-G-M)

HOLLYWOOD, March 4.—Combining a strange assortment of human and spiritual values, "Strange Cargo" is a production about which much probably will be said and written. Its theme is similar to that of "The Passing of the Third Floor Back" and the film shows the influence of a mysterious stranger on the regeneration and the return to religion of a group of hardened convicts from a French prison colony and upon a tarnished woman.

Joan Crawford as the only woman in the cast and Clark Gable as an almost incorrigible thief are the stars of the drama which is based on the book, "Not Too Narrow, Not Too Deep," by Richard Sale. The supporting players are also worthy of marquee consideration—Ian Hunter, Peter Lorre, Paul Lukas, Albert Dekker, J. Edward Bromberg, Eduardo Ciannelli, John Arledge, Frederic Worlock, Bernard Nedell and Victor Varconi.

The screenplay by Lawrence Hazard and the direction by Frank Borzage play up the supernaturalness and the occult. The story in brief has Gable escaping from the colony to see Miss Crawford, a dance hall girl. Just as his escape is about to be discovered, when the convicts are counted, a mysterious stranger in convict garb appears and takes his place in line. The girl turns Gable in to the gendarmes, but she is given 12 hours to leave the island.

Dekker, bullying leader of a small group of convicts, hatches an escape plot, taking along the stranger, played by Ian Hunter, but leaving behind Gable, who has forced himself into the scheme. Gable escapes later, and a trek through dangerous jungle and water to a hidden boat follows.

They sail in the boat and several die, each being pacified spiritually by the stranger. After a journey made horrible by lack of water, they reach the mainland. The girl agrees to sacrifice herself to a police spy, whom she despises, so that Gable may escape, but he, after a series of blasphemous adventures including the attempted murder of the stranger, becomes regenerated, and returns to the island to serve his sentence. The stranger disappears as strangely as he came.

Joseph L. Mankiewicz was the producer.

Running time, 113 minutes. "A."* VANCE KING

**"A" denotes adult classification.*

'Shop' Pulls $7,500, Sets Pace in Omaha

OMAHA, March 4.—"Shop Around the Corner" had the town's best merchandise this week, getting $7,500 at the Omaha. Sonja Henie's ice revue provided competition.

Estimated takings for the week ending Feb. 28-29:

"Swiss Family Robinson" (RKO)
"Lone Wolf Strikes" (Col.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,800. (Average, $4,000)
"Shop Around the Corner" (M-G-M)
"Big Guy" (Univ.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,500. (Average, $6,000)
"Jamaica Inn" (Para.)
"Dress Parade" (W.B.)
ORPHEUM — (3,000) (35c-40c) 7 days. Gross: $6,500. (Average, $7,600)

'Wind' Holds Detroit Lead with $59,500

DETROIT, March 4.—"Gone With the Wind" in its fifth week grossed $32,000 at the United Artists and $27,500 at the Wilson. The Fox drew $17,000 with "Little Old New York" and "The Lone Wolf Strikes."

Estimated takings for the week ending Feb. 29:

"The Big Guy" (Univ.)
"Five Little Peppers at Home" (Col.)
ADAMS—(1,600) (15c-40c) 7 days. Gross: $4,000. (Average, $5,000)
"Gulliver's Travels" (Para.)
"That's Right You're Wrong" (RKO)
FISHER — (2,700) (15c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Little Old New York" (20th-Fox)
"The Lone Wolf Strikes" (Col.)
FOX—(5,000) (20c-55c) 7 days. Gross: $17,000. (Average: $15,000)
"Brother Rat and a Baby" (W. B.)
"Sidewalks of London" (Para.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $10,000. (Average, $12,000)
"Of Mice and Men" (U. A.)
"Slightly Honorable" (U. A.)
PALMS—(2,000) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (75c-$1.10-$1.50) 7 days, 5th week. Gross: $32,000.
"Gone With the Wind" (M-G-M)
WILSON—(1,912) (75c-$1.10-$1.50) 7 days, 5th week. Gross: $27,500.

Rites for Mrs. Kerman

Funeral services were held on Sunday for Mrs. Yetta Kerman, 70, wife of Dave Kerman, pioneer exhibitor now interested in the People's Cinema, Brooklyn. Burial was at the Mount Judah Cemetery, Long Island. A son, Moe Kerman, head of Times Pictures, is among the survivors.

Tips on Exploitation

Recording by Patrons Used in Providence

PROVIDENCE, March 4.—A portable recording outfit for making phonograph records was used by George French at the RKO Albee to spread word of the current feature, "Of M[illegible] and Men," and coming attractio[illegible] Patrons, after seeing the show, are asked to record their opinion of the film, and then, whether they know what pictures are coming to the Albee. If they don't, they are told about them. Then the discs are given to the patrons to take home, the idea being that they will play them for friends and thus ballyhoo the Albee's future shows. The outfit was supplied to the theatre in a tieup with Zenith radios.

Child Color Contest Used on "Swiss Family"

Manager Charles Ulrich of the RKO Keith, White Plains, N. Y., tied in with local schools for a coloring contest on "Swiss Family Robinson." Five hundred youngsters competed for three cash prizes, with contest blanks distributed through school officials.

Music Group at Studio For Para.'s 'Interlochen'

Paramount has invited delegates to the biennial convention and festival of the Music Educators National Conference to the studio April 4 in the interests of the film, "Interlochen." The delegates will see a demonstration of music recording on a sound stage, with Allan Jones and Susanna Foster of the cast featured.

Cartoon Exhibit Is Continued Indefinitely

The display of the making of animated cartoons at the Museum of Science and Industry in Rockefeller Center, has been continued indefinitely. Tied in with the run of "Pinocchio," Disney-RKO feature at the Center, the exhibit has attracted considerable attention.

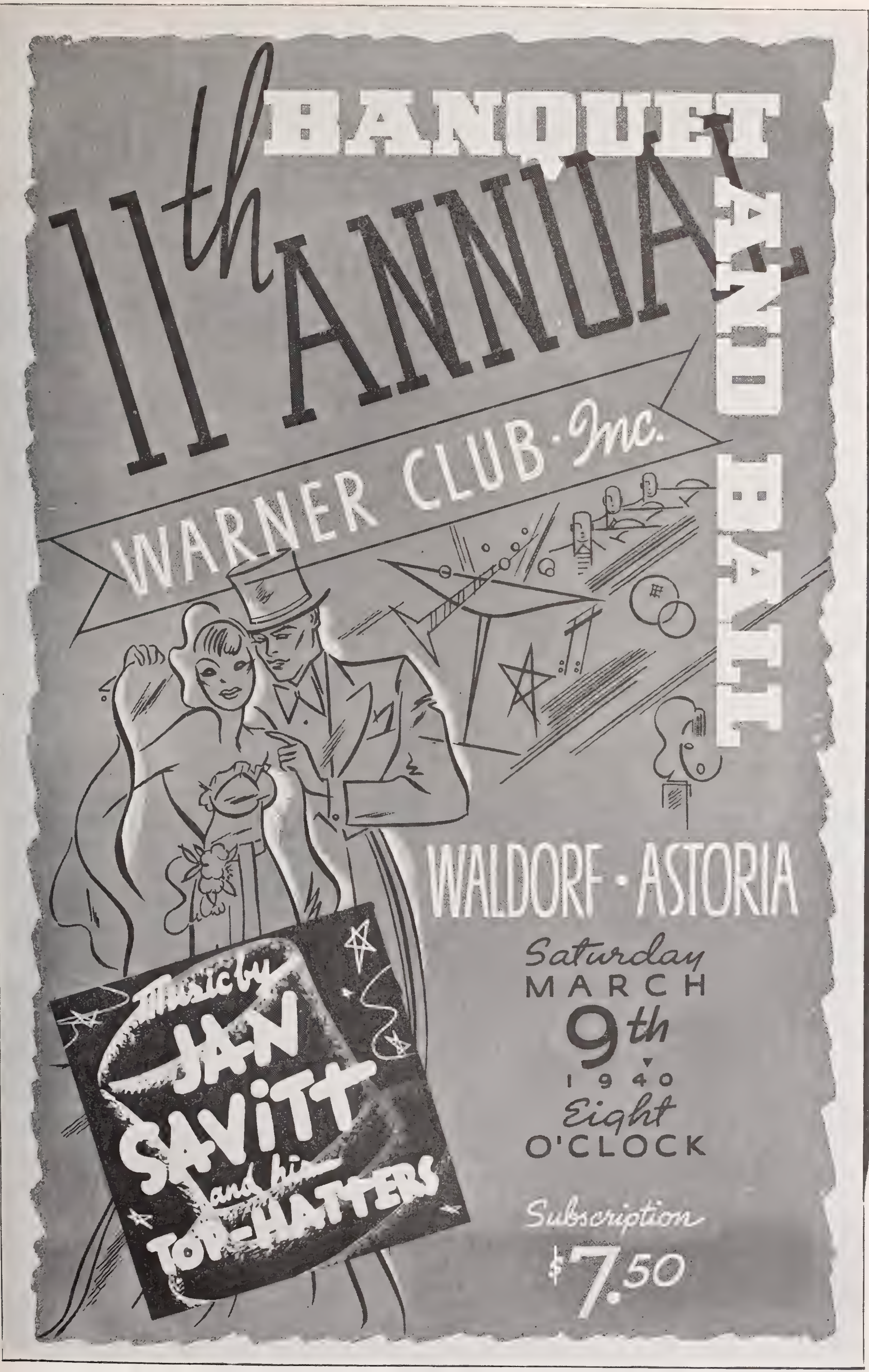
Reduced Child Prices For 'Lincoln' in St. Louis

ST. LOUIS, March 4.—In connection with the showing of "Abe Lincoln in Illinois" at the Fox, arrangements have been made for reduced prices for school children who attend the show in groups. Children under 12 will be admitted at all times for 10 cents; those over 12 will pay 15 cents until 6 P. M.; after 6 P. M. they will pay 25 cents. The deal was concluded with the Board of Education and various private and parochial schools, and last Friday, nearly 3,000 school children attended the matinee.

Medical Groups Are Invited to 'Ehrlich'

PITTSBURGH, March 4.—Private screenings of "The Magic Bullet" are being held for various medical, social and civic clubs, as a buildup for the picture's booking at Loew's Penn. Brief talks by theatre men after the previews, and a city-wide mailing to the groups' memberships at the organizations' expense, is part of the campaign.

You're Invited! This Saturday!



11th ANNUAL BANQUET AND BALL

WARNER CLUB · Inc.

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4 Band Chiefs Sub for Miller, Ill; Gross High

By EDWARD GREIF

Four important "name" band leaders conducted the orchestra on the stage of the Paramount during the past week, as a result of the ingenuity of Robert M. Weitman, managing director of the Broadway house. The situation had every jitterbug in the city on the alert, and brought smash business.

Last Wednesday, Glenn Miller was scheduled to head the stage show at the Paramount, in conjunction with the opening of "Seventeen." But when Weitman arrived at the theatre at 6 A.M. that day he found that Miller had been taken to Mt. Sinai hospital suffering from sinus trouble and the grippe. It was too late to do anything then but Paul Douglass, the announcer who works with Miller on the Chesterfield radio show, was induced to take over the first two shows.

Meanwhile, Weitman held a hurried conference with Tommy Dorsey, who is appearing at the Meadowbrook Club, and several other band leaders. Dorsey conducted Miller's band for the third, fourth and fifth shows, while Dick Stabile handled the last one.

On Thursday, Dorsey took over all five shows, and on Friday, Dorsey conducted the first two, Gene Krupa the third, and Charley Barnet the last two.

By the time Saturday rolled around, every jitterbug in town knew that the band leaders had rallied to the aid of Miller (and Weitman). The matinee trade was the biggest for a Saturday in the history of the house, according to Weitman. Easels in front of the theatre announced the name of the leader while Weitman backed this up with newspaper ads.

Tommy Dorsey worked the first show, Dorsey and Krupa were on hand for the second, Barnet conducted the third, Krupa the fourth and fifth and Barnet the sixth.

Miller returned on Sunday, but the four "guest" leaders offered to appear with him as a special "salute." Weitman tilted the prices upward with the result that the matinee drew $9,100 to break all records for one afternoon's trade at the house. The week, which ends tonight, should bring an estimated $60,000. Saturday and Sunday brought an estimated $28,000.

Yesterday's opening found a line six abreast from the Broadway boxoffice almost to Eighth Avenue in spite of the downpour. The visiting band leaders did not charge for their services.

Lux Show Abandons Academy Program

Hollywood, March 4.—Production difficulties have caused abandonment of plans of the Lux Radio Theatre to have the Academy Award winners present a dramatization of "Gone With the Wind" on March 11. Another reason was the presence of Robert Donat, winner of the male star award, in England. The deal would have had the J. Walter Thompson agency give $20,000 to the Academy.

Broadway Play Televised; Experiment Called Success

Television's most important "first night," from the theatrical point of view, was the presentation Sunday evening of the Robert Henderson production of J. B. Priestley's comedy, "When We Are Married." This was the first time a current Broadway play, acted by its original players, was telecast.

The play and players were introduced by Ray Forrest, NBC television announcer. During the presentations the Broadway players showed a certain amount of nervousness in facing a new and unknown entertainment medium. However, after the "curtain" went up the play was presented in professional manner.

The limitations of television made it necessary that the action take place on a restricted stage, but in all other ways the comedy was the same as at the Lyceum Theatre. Occasionally in group shots one or more of the characters were cut off at an angle but most of the time the mechanics of production were skillfully handled. At the end of the play, which ran over an hour and a half, including two short intermissions, Alison Skipworth and J. C. Nugent gave curtain-call speeches.

The presentation of "When We Are Married" emphasized the fact that television technique requires a combination of stage and screen arts. Living actors give a feeling of reality akin to that of a stage performance and the television "camera" makes use of motion picture methods of long and short shots, panning and other practices.

The film camera techniques applied to a stage play for television tend to increase the dramatic quality of the play. Sunday's play was very satisfactory as a television program and as entertainment. While the play was being enacted consciousness of the medium could be lost.

The television success of "When We Are Married" would seem to indicate that plays will furnish some of the best entertainment brought directly into the home. Television versions probably will be used to advertise other Broadway plays. At present no one can say whether such a practice would help or hurt theatre business. But very few of the television audience, estimated at 10,000, could be expected to go to the theatre to see the play again—the television presentation was that good!

The players in the first Broadway television play were Estelle Winwood, Alison Skipworth, J. C. Nugent, Tom Powers, Ann Andrews, Sally O'Neil and A. P. Kaye. The television presentation was directed by Thomas L. Riley of NBC. Robert Henderson, director of the play, arranged for the television production and made the necessary arrangements with Actors Equity.

CBS, Mutual Billings Up

CBS and Mutual billings showed huge gains during February. CBS grosses rose 31 per cent over the same month last year, while Mutual jumped 22.1 per cent.

During February, CBS billings were $3,330,627 as compared with $2,541,542 last year. Total for the first two months were $6,919,616, a rise of 32.7 per cent over $5,215,599 for the same period last year.

Mutual's February gross was $337,649 against $276,605 last year. Totals for the first two months were $655,378, a rise of 10.8 per cent over $591,683 for the same months last year.

Confucius Say—

The F.C.C. refused yesterday to take action to ban "Confucius Say" jokes from the air. In answer to a complaint from a Pittsburgh listener who had wearied of this type of humor and had appealed to the Commission, the F.C.C. responded that it did not have authority to prohibit such programs.

"Sky Blazer" Turner

Col. Roscoe Turner, of "Sky Blazers" over CBS, is doing some long distance commuting these days. Col. Turner, noted speed flier, comes to New York each Saturday night for his radio show from Indianapolis.

Condensed Articles on Air

Condensation of articles and stories printed in national magazines will be featured in a novel program, "Excerpts and Postscripts," which starts today over WNEW at 7:45 P. M. Fashioning the program after the *Readers Digest*, Richard Brooks will use articles, fiction and special features from *Esquire, Collier's, Liberty, Life, Fortune, Newsweek, Time, American Mercury* and a number of other periodicals which have granted permission for use of their material.

Get Their Day on the Air

Elevator men, stenographers, page boys, porters, receptionists and other station employes who are not generally heard over the air will have their day on Thursday, March 14 over KNX, Hollywood. Three plays, written, directed, produced and acted by them will be heard from 10:15 P. M. to 10:45 with a CBS hookup.

Personalities in the News

Bette Davis and William Powell will co-star in "Slightly With Accent" on the "Gulf Screen Guild Theatre" over CBS Sunday at 7:30 P. M. . . . Harry Wilder, president of WSYR, Syracuse; Griffith Thompson, sales manager of KYW, Philadelphia; T. M. Pepperday, owner of KOB, Albuquerque; Paul Morency, manager of WTIC, Hartford; and George Kelly, president of WCSH, Portland, Me., are in town.

New GE Television Antenna

General Electric has developed a new television transmitting antenna which G. E. engineers claim will result in improved clarity and detail of the screen image. The antenna, V-shaped and mounted atop a 60-foot pole adjacent to W2XB, on Helderberg Mountain, is non-directional and results in a stronger picture signal.

Knox Suggests Hope for Trust Suit Settlement

(*Continued from page 1*)

had received a telephone message from Washington in reference to the suit prior to the filing of his opinion. No confirmation of this [illegible]d be obtained.

Judge Knox, on his part, declared that the statement of the possibility of settlement had been included merely as a routine matter so as to cover that eventuality in setting a date for the Davilla suit.

Herman Finkelstein of Schwartz & Frohlich stated that Judge Knox, on argument of the Davilla motion, had not intimated knowledge of a settlement but, on the contrary, had stressed the fact that he did not wish to delay trial of the anti-trust suit.

Federal Judge Henry W. Goddard will hear a Government application for a pre-trial conference today at 3:30 P.M. At the same time, the Government will ask for an order to regulate interviews of its witnesses by the defendants.

Film attorneys advanced the belief that Judge Knox's impression that a settlement of the suit was possible must have been derived from Government sources.

Some attorneys hazarded the opinion that a Government representative may have expressed the belief to the jurist that a trial might not be necessary in the event the Government obtains all that it is seeking in the way of stipulations and all that it hopes to obtain through the pre-trial conferences scheduled to start before Federal Judge Goddard in the near future.

Defense attorneys were disinclined to believe that the Government has any formula for a settlement of the suit out of court which would be acceptable to the film companies.

"We are as much surprised by Judge Knox's reference as any one," said one prominent defense attorney.

U. S. Examines Depinet; Balaban on Stand Tomorrow

Pre-trial examination of Ned E. Depinet, vice-president of RKO in charge of sales, started yesterday in the Government's anti-trust suit and will continue today. Barney Balaban, president of Paramount, will follow Depinet tomorrow.

Depinet testified to details on negotiations in the sale of RKO films to theatres in each of the 36 key cities listed by the Government. In answer to persistent questions of Special Assistant Attorney General Robert L. Wright, the RKO vice-president named the first run houses in each of these cities.

In addition, Depinet described his negotiations in these cities and the men with whom he dealt.

Earlier in his testimony, Depinet asserted that the RKO producing company was on an equal status with outside concerns in selling product to the RKO theatres. Moreover, he stated, the producing company had no knowledge of the terms of exhibition contracts made between the RKO theatre companies and other producers.

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[illegible]L. 47. NO. 46 NEW YORK, U. S. A., WEDNESDAY, MARCH 6, 1940 TEN CENTS

Writers Seek Ouster of Dies In 'Red' Probe

Guild Charges He's Biased Against Hollywood

Hollywood, March 5.—Charging that by his actions and statements regarding alleged Communism in Hollywood he has constituted himself "a political censor of motion pictures," the Screen Writers Guild today called upon the Speaker of the House of Representatives to remove Congressman Martin Dies from the House un-Americanism probe committee.

Copies of the telegram sent to Speaker William Bankhead were sent to President Roosevelt, Vice-President Garner, Senators Johnson and Downey of California and California Congressmen.

In a message authorized by the Guild membership, the S.W.G. board recommended the appointment, in Dies' stead, of "a member of the House who will conduct aforesaid investigation in accordance with established rules of fair inquiry."

The Guild board charged Dies with acting improperly in writing two articles for *Liberty Magazine* and further said:

"In making statements to the press in which he gave opinions, he made comments and revealed prejudice and bias upon matters relating to the motion picture industry which are later

(*Continued on page 8*)

SWG Drafts Agents Franchising Plans

Hollywood, March 5.—The Screen Writers Guild is drafting a plan to franchise agents similar to that of the Screen Actors Guild which went into effect several months ago, it was learned today.

A committee has been appointed by the board of directors to prepare a plan for presentation to the entire membership. However, it will be some time before a proposal is in final form.

Guild leaders are surrounding their moves with secrecy to prevent a recurrence of agent opposition such as that which sprang up when the S.A.G. license plan was in its preparation stages.

The same procedure as that of S.A.G. in requiring that each agent obtain a license from S.W.G. in order to represent Guild members will be followed.

Witness Coercion Doubted by Court; U.S. Loses Appeal

After ruling that the Government had failed to substantiate its claim of the danger of intimidation of its witnesses in the New York anti-trust suit, Federal Judge Goddard yesterday denied the Government's application for an order regulating interviews of its witnesses.

Judge Goddard declared that he was not going to decide that the majors will coerce witnesses merely because the defendants have the power to do so. He pointed out that Federal statutes define the intimidation of witnesses as a crime and that under its provisions Government witnesses are protected.

In denying the application after prolonged argument, the court granted the Government the right to renew it if it could show attempts by defendants to influence the testimony of possible witnesses.

Judge Goddard was careful to say that he was anxious "to scrupulously protect" both witnesses for the Government and the majors. He assured Special Assistant Attorney General Paul Williams that he could "tell independent exhibitors that this court will do its utmost to protect them."

Judge Thomas D. Thatcher, supported by a group of attorneys for the majors, argued that no evidence had been presented by the Department of Justice to support its claim. The number of instances of alleged intimidation, he continued, were based on "the flimsiest of evidence" and dated back many years.

Federal rules guarantee parties free access to witnesses to afford them an

(*Continued on page 8*)

LAW TO SUPPLANT NEELY BILL URGED

MPTOA Makes Proposal; Urges Six Concessions By Distributors

A proposal for a Federal statute to supplant the Neely bill, basically aimed at correcting block booking inequities but eliminating some of the drastic features of the present bill, is suggested by the M.P.T.O.A. in its current bulletin to members.

The national exhibitor organization, in the bulletin, also advances a six-point program of trade practice concessions which it urges distributors to include in their new season license agreements. The bulletin asserts that in this way immediate trade reforms may be put into effect without danger of conflict with the anti-trust laws.

The alternative to the Neely bill, according to Ed Kuykendall, M.P.T.O.A. president, has been advanced by members of the organization who are convinced that if Federal regulation of the industry is inevitable, it should be by way of a law in the drafting of which exhibitors who will have to live under it have had a voice.

The proposal is for "a simple statute providing that no license agreement for the exhibition of five or more copyrighted films over 2,000 feet in length shall be valid and enforceable at law unless it provides an option to cancel upon reasonable notice one picture out of each group of five

(*Continued on page 3*)

Vaude Talent Agents Take A.G.V.A. Pact

Vaudeville talent agents accepted the terms of a new franchising agreement with the American Guild of Variety Artists at a meeting which ended at 1 A.M. yesterday. Although several alterations in the agreement were requested, these amendments are acceptable to A.G.V.A. and the contract is expected to be signed tomorrow.

The Artists Representatives Association, whose membership includes about 85 per cent of the agents who represent performers in the vaudeville, motion picture presentation houses and allied fields, voted unanimous acceptance. Other agents are permitted to obtain franchises individually, but no A.G.V.A. member may employ an agent who is not franchised.

Revealed in the draft agreement was the intention of A.G.V.A. to start a drive against booking offices which book talent for film and vaudeville houses. A.G.V.A. will seek to eliminate the five per cent charge now levied by the booking offices, but until this charge is eliminated by the union, the agents are permitted to add the five per cent to their customary 10 per cent charge.

A.R.A. members will file applica-

(*Continued on page 3*)

"My Son, My Son!"

[Small-United Artists]

Howard Spring's best selling novel of two years ago has been skillfully woven into a moving and highly dramatic picture, brilliantly enacted by a splendid cast. The essence of the lengthy novel, dealing with a tangled skein of twisted lives and loves, has been capably extracted in the screenplay by Lenore Coffee. Incident and situation have been culled to maintain a swift and telling pace.

Dealing with the play of diverse characters one upon the other, Charles Vidor, the director, has told his story with force and clarity, never permitting the continuity to lag.

The picture has two phases. The first concerns two young men in the slums of Manchester, England, in the closing years of the 19th Century, and their dreams of success, their marriages and the growth of their children. Each centers his life in his son. The second phase, after they have attained success, concerns itself more particularly with the

(*Continued on page 2*)

'Street of Theatres' Proposed for Fair

Proposals for industry participation in the New York World's Fair were presented yesterday to advertising and publicity directors of major companies and will be submitted to company presidents for action at a meeting at M.P.P.D.A. headquarters tomorrow.

At that time decisions are expected to be made on whether or not the industry will participate and, if so, which of the several proposals advanced will be utilized.

The principal proposal under consideration is for a "Street of Theatres" at the Fair in which there would be four small theatres devoted to the showing of films depicting the progress of the motion picture from 1900 to 1940, each theatre being devoted to a separate decade. There will be no admission charge. In addition, the exhibit would include a

(*Continued on page 7*)

Purely Personal

NICHOLAS M. SCHENCK, president of M-G-M, is back from Miami Beach for a short stay and will return there later this week.

•

W. A. STEFFES, confined to a Washington hospital since January, is now up and about. He expects to leave the hospital in about 10 days and may convalesce in Florida before returning to his Minneapolis home.

•

MONROE GREENTHAL, LYNN FARNOL, JOSEPH MALCOLM, OSCAR DOOB, BUDD ROGERS, WILLIAM FITELSON, ROBERT SAVINI and JACK PEARL lunching at Bob Goldstein's Tavern yesterday.

•

ARTHUR LOEW, DAVID LOEW, MORT SPRING, JOSEPH ROSTHAL, WILLIAM MELNIKER, TOBY GRUEN, JACK KIRKLAND, NAT KARSON and HARRY KAUFMAN at Sardi's for lunch yesterday.

•

ADOLPH ZUKOR and JOHN W. HICKS sail from Rio de Janeiro for New York today on the *Uruguay*, ending a three months business trip to Central and South America. They are due here March 18.

•

GEORGE SKOURAS, OWEN DAVIS, MAX DREYFUS, WALLY OWEN, GEORGE WEEKS and MAX SCHLESINGER at Nick's Hunting Room in the Astor for lunch yesterday.

•

CRESSON E. SMITH, Western and Southern sales manager for RKO, left last night for visits to the company's branches in Dallas and the adjacent territory.

•

ERNST LUBITSCH and MRS. LUBITSCH left for the Coast by plane yesterday. They arrived in New York this week from a vacation in Puerto Rico and the Virgin Islands.

•

JOSEPH M. SCHENCK, chairman of the board of 20th Century-Fox, is due late this week from Miami, where he is visiting.

•

LEO YASSENOFF, head of F. & Y. Theatre Building Service, Columbus, O., has returned from a Coast vacation.

•

PHIL WOOD, JR., son of P. J. WOOD of the I.T.O. of Ohio, has been transferred from RCA's home office to San Francisco.

•

LOU DIAMOND, head of Paramount's short subjects department, will leave for Florida today on a combined business and vacation trip.

•

MAURICE SILVERSTONE, United Artists chief executive, is expected back from the Coast at the end of next week.

•

GEORGE DE LANAUZE of France-Film Co., Montreal, has formed Radio-Cinema for sub-standard films.

•

ISAAC and ABE LIBSON have returned from a Miami vacation.

•

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned from an eight-week trip around the country.

•

CHARLES GOETZ of the 20th Century-Fox talent department has returned from a Coast vacation.

•

MAURICE O'HEARN, treasurer at the Curran in San Francisco, was married this week to HAZEL SAUNDERS.

•

LOUIS ROSENFELD, general manager of the Columbia exchange in Toronto, is vacationing in Florida.

•

E. V. DINERMAN, RKO division advertising and publicity chief, is confined at home with the flu.

"My Son, My Son!"

[Small-United Artists]

(Continued from page 1)

characteristics of the grown children, and their effects on the lives of the elders. The second phase tends to carry the film as a whole into the adult entertainment classification.

The group of brilliant performances, with little to choose in degree of excellence, offers Brian Aherne, Madeleine Carroll, Louis Hayward, Henry Hull, Laraine Day, Bruce Lester and Josephine Hutchinson.

Aherne and Hull, novelist and cabinet maker, respectively, are the two young men, whose dreams after marriage are centered in their sons. Miss Hutchinson is Aherne's pious and stern wife. The story centers chiefly about the lives of Aherne and his son. A word of special praise is due young Scotty Beckett, playing Aherne's son as a boy. Spoiled by a father who gives to his son everything he himself has missed, the boy has caught with admirable skill the subtle implication of a clever child playing with finesse upon his parent's willing gullibility.

Grown up, Hayward, Aherne's son, is unprincipled and cynical. Hull's son, Lester, is fine, and his daughter, Miss Day, a spirited young actress. Aherne meets and falls in love with Miss Carroll, an artist, but renounces her because he is married. Later, his wife dead, he meets her again, seeks to resume where they left off, only to find that his son claims to love Miss Carroll and refuses to leave them alone. Miss Day is herself in love with Aherne, although he does not realize it. The final blow to the father's dream comes when he learns that Hayward, now gone off to war, has been the indirect cause of the suicide of Miss Day.

Out of this tangled pattern a measure of tempered happiness finally emerges, as Hayward, latterly appreciating his warped outlook, dies a hero's death in the war, and Miss Carroll and Aherne are reunited. Through it all is the sharp contrast of the happy family life Hull has built for himself, and the distress and disillusionment which is Aherne's. This is entertainment of a high order, a credit to all concerned in its effectual transition from novel to screen.

Running time, 117 minutes. "A."*

CHARLES S. AARONSON

---

*"A" denotes adult classification.

Newsreel Parade

Arrival in Scotland of the British prisoners taken from the Nazi prison ship Altmark is shown in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 51 — Allied troops in Suez. Finn villages after air raids. Finn children in Sweden. *Altmark* in Norway. Britains released from Na[illegible] prison ship arrive in Scotland. *Exeter* r[illegible]turns to England. Patrol on Western Front. Mussolini decorates troops. Archduke Otto arrives for visit. Roosevelt returns from fishing trip, celebrates seventh year as President in Washington. Presidential candidates in Washington. Lew Lehr. Racing at Hialeah and Santa Anita.

NEWS OF THE DAY, No. 249—British prisoners freed from Germans arrive in Scotland. *Exeter* returns to England. Finnish children find refuge in Sweden. Archduke Otto arrives in Baltimore. Roosevelt returns from cruise. Presidential candidates at Press dinner. Flood in California. Hat fashions. Santa Anita horse racing. Chicago Cubs in training.

PARAMOUNT NEWS, No. 54—Roosevelt at Panama Canal, Florida and Washington. Ice storm hits New York. Archduke Otto arrives in Baltimore. Pennsylvania city caves in. Press Club dinner in Washington. Rescued British prisoners arrive in Scotland. German prison ship in Norway. Leap Year observed. Seabiscuit wins Santa Anita Handicap.

RKO PATHE NEWS, No. 66—*Altmark* prisoners return on *Cossack*. Nazi prison ship in Norway. Flood in California. Presidential aspirants at Press Club dinner. Hoover urges funds for Polish relief. Churchill honors *Exeter* crew. Horse racing at Florida and California.

UNIVERSAL NEWSREEL, No. 855—Finn ski troops take Russian prisoners. French patrols on Rhine. Released British prisoners return to England. *Exeter* crew hailed in England. Anthony Eden greets Australian troops in Egypt. Storm in Manhattan. Roosevelt returns from cruise, observes seventh anniversary in office. Mussolini decorates war heroes. Flood on West Coast. Leap Year observed in Aurora, Ill. Seabiscuit wins richest race.

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Ampa to Fete Film, Literary Notables

Henry Hull, Brian Aherne and Joan Fontaine are scheduled to appear at the Ampa luncheon meeting tomorrow at Dempsey's Restaurant.

The main attraction, however, will be a group of book publishers and literary critics who will speak on the relationship between books and films. Details will be given of the annual award to be established for the best film derived from a book.

In addition to Col. Theodore Roosevelt, vice-president of Doubleday Doran, who will be toastmaster, the following are scheduled to be present: M. Lincoln Schuster of Simon & Schuster; Pascal Covici, Viking Press; Donald Klopper, Random House; Annie Laurie Williams, literary agent; Katherine Brown, Selznick International story editor; Gilbert Seldes, director of CBS television and literary critic; David Putnam of Macmillan and John Selby, book critic of the Associated Press.

Vaude Talent Agents Accept AGVA Pact

(*Continued from page* 1)

tions for franchises before March 15 and A.G.V.A. will act upon them before March 25. The agreement will go into effect on April 1 and will continue until Dec. 31, 1943.

All existing contracts between performers and agents are modified to limit them to three years' duration. Future contracts must be on standard forms and provide for maximum commissions of 10 per cent, except in cases of one-eight stands when 15 per cent may be charged. Under exclusive contracts, the performer must be guaranteed at least two weeks work in each three months.

A standing committee, with both sides represented, will try to adjust disputes. If the committee is unsuccessful, however, arbitration proceedings will be used.

Actors Equity yesterday instructed all its members not to work in the variety field except where an A.G.V.A. shop is provided.

Dowling Withdraws From Equity Post

Eddie Dowling, producer-actor, whose appointment to the council of Actors Equity caused a storm of protest from members last week, withdrew his acceptance of the post at a council meeting yesterday.

He gave no reason for his withdrawal. Frank McCormick and Alan Hewitt, who were named as alternates, will be offered the post in the order named. Matt Briggs accepted the other vacant post on the council.

Jenkins, Columnist For Herald, Dead

NELIGH, Neb., March 5.—J. C. Jenkins, for many years field representative for *Motion Picture Herald* and its predecessor, *Exhibitors Herald-World*, died here today of a heart attack at the home of a daughter, Mrs. Marjorie Bradley. He was 82. The funeral will be held here on Thursday.

U.S. Law to Supplant Neely Bill Proposed by M.P.T.O.A.

(*Continued from page* 1)

in the order of release without liability."

The bulletin adds that "if the distributor fails to provide in the contract such a minimum option to cancel pictures as they are released, the whole contract will become invalid and unenforceable, thus making the cancellation privilege 100 per cent. No criminal penalties would be needed," the bulletin points out.

Branding the Neely bill a "fake," the M.P.T.O.A. president asserts that neither its defeat nor its enactment will solve the problem of compulsory block booking and blind selling.

"The basic problem of reasonable selection of motion pictures for exhibition," he declares, "is not a moral issue but a vital economic problem that has not been solved effectively by any stretch of the imagination to the satisfaction of theatre owners. True, some progress has been made but there are still important wholesale distributors who deny any and all selection except to the big circuits. Rather than have the harsh and costly requirements of the Neely bill jammed down our throats by misguided pressure groups," Kuykendall says, "it may be well for the industry to consider a more practical statute."

The trade practice proposals which the M.P.T.O.A. urges for inclusion in new season's contracts relate principally to cancellation, score charge and availability. The proposals follow:

"(1) A minimum unconditional option to cancel at least 20 per cent. of the pictures licensed on reasonable notice as they are released. The code proposal should be simplified as much as possible for this purpose. Or as an alternate suggestion, an option to cancel upon reasonable notice one picture out of each group of five or more, in the order of release.

"(2) An option to cancel any picture on reasonable notice which it can be demonstrated is locally offensive on moral, religious or racial grounds. The question of fact, if disputed, can be left to simple arbitration.

"(3) An option to change percentage pictures designated for preferred play dates on reasonable notice that the picture is considered unsuitable in fact for the dates designated, subject to simple arbitration if there is any dispute.

"(4) A provision that no score charge shall be added to the film rental specified in the contract.

"(5) A provision that prices and terms for each picture licensed must be fixed by the distributor not later than the date of the notice of availability.

"(6) A provision that the option to reject pictures on selective contracts must be exercised within 21 days after notice of availability, otherwise the option is void and the picture released in due course to subsequent runs."

Coast Flashes

HOLLYWOOD, March 5.—George Stevens and RKO have agreed to cancel his producer-director deal after six years of affiliation with Stevens contemplating independent production. His last film for RKO was "Vigil in the Night." RKO is dickering with Jesse Lasky on a deal for him to take the producers' berth.

Gregory LaCava, now in New York, is being approached by RKO to produce and direct "Mr. and Mrs." Norman Krasna, who wrote the story which is slated for Carole Lombard, is enroute to New York to talk with LaCava.

Robert P. Kane, managing director of British production for 20th Century-Fox, leaves Saturday for New York and thence goes to London to produce his four scheduled pictures first of which will be "Madamoiselle From Picadilly," starring Bea Lillie.

Twentieth Century-Fox today purchased film rights to "How Green Was My Valley," best selling novel of Welsh coal mining by Richard Llewellyn, formerly Fox writer in England.

Phillip Wood Dies

HOLLYWOOD, March 5.—Phillip Wood, 44, actor and author, who had just finished an assignment as choirmaster in the film version of "Our Town," is dead here of a heart attack. His wife and two children survive.

Stahl May Produce Film for Roosevelt

HOLLYWOOD, March 5.—John M. Stahl may close a deal here this week with James Roosevelt to produce one picture for the latter's Globe Prod.

It is understood that this commitment will comprise Stahl's only production activity for United Artists release. The producer, however, also is negotiating with Columbia and may close a multiple picture deal with that company in the near future.

Stahl arrived here today from New York.

Warners Request Income Tax Review

WASHINGTON, March 5.—Redetermination of a deficiency of $291,737 assessed against their personal returns for 1936 and 1937 by the Commissioner of Internal Revenue was asked today by Albert, Harry and Jack Warner.

The Warners contended the deficiency resulted from an erroneous interpretation of income from the dissolution of the Colfax Trading Corp. as capital gains.

Arrested as Vandal

ST. LOUIS, March 5.—Police today arrested and obtained a confession from Earl A. Staab, accused of cutting the upholstery on 400 seats in the Fox Theatre yesterday. Staab declared he was angry with the management because of the delay in negotiating a contract with his Local, B2 of the Theatrical Employes' Union, under which he expected to get a $9 weekly raise.

Nick, Weston Must Pay Unions $16,500

ST. LOUIS, March 5.—Circuit Judge Ernest F. Oakley today ordered John P. Nick, former head of the Operators' Union, Local 143, and Clyde A. Weston, former business agent of the union, to pay to the union $16,500 collected from theatre managers in 1936 and 1937.

Nick was acquitted of a charge of extorting $10,000 from exhibitors in 1936 to forestall a wage increase demand by operators. A similar charge against State Representative Edward Brady was dismissed yesterday.

Trial of Nick and Weston on a charge of extorting $6,500 from exhibitors in 1937 is scheduled to start next Monday.

Nick was ordered to pay $10,000, and Nick and Weston were ordered to return jointly, in addition to the $6,500, a total of $31,899, "which had been improperly expended or converted to their own use," the court said.

Seek More Time On RKO Fee Data

A second extension of the time for filing applications for allowances for services in the RKO reorganization was requested of Federal Judge William Bondy yesterday by Simpson, Thatcher & Bartlett, counsel for Atlas Corp., proponent of the RKO reorganization plan.

The extension sought is from March 15 to March 25.

An extension to March 15 was granted by Judge Bondy recently when Atlas, its counsel, the Irving Trust Co. and Donovan, Newton, Leisure and Lumbard, reported that they would be unable to complete their seven-year service records in the reorganization within the allotted time. Irving Trust and its counsel expect to complete their petitions by the end of the week, but other petitioners estimate they will need another two weeks.

Canada Lifts 'Time' Ban After Elections

TORONTO, March 5.—Premier Hepburn of Ontario said today that the ban on the "March of Time" subject, "Canada at War," will be lifted after the national elections March 26.

The Premier's ban on the reel, in his capacity as chairman of the censorship appeal board, was a political sensation here today. Hepburn has been engaged in a quarrel with Prime Minister McKenzie King of the Dominion.

Canada's National Film Board approved the production of the film and called it the board's first official release in a war series, while the Canadian Broadcasting Corp. plugged it on the national network.

Legit Houses Aid Finns

Collections at Broadway legitimate theatres for the Finnish Relief Fund totaled $6,037 during the three weeks of the drive, it is reported by Gertrude Lawrence, chairman of the division. Audiences at "Life With Father" at the Empire contributed the largest amount, $1,123.

'Pinocchio' Is Los Angeles' Best, $23,400

Los Angeles, March 5.—"Pinocchio," in its third week at the Hillstreet and Pantages, grossed $23,400, with $11,300 at the former house and $12,100 at the latter.

Estimated takings for the week ending Feb. 28:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 9th week. Gross: $18,500. (Average, $17,000)
"The Man From Dakota" (M-G-M)
"Congo Maisie" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Dr. I. Q. Broadcast, Monday only, 1 performance. Gross: $11,200. (Average, $12,500)
"Abe Lincoln in Illinois" (RKO)
4 STAR—(900) (75c-$1.50) 5 days, 4th week. Gross: $3,200. (Average, $3,250)
"Pinocchio" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 3rd week. Gross: $11,300. (Average, $6,500)
"The Man From Dakota" (M-G-M)
"Congo Maisie" (M-G-M)
LOEW'S STATE — (2,500) (30c-75c) 7 days. Gross: $15,500. (Average, $14,000)
"Pinocchio" (RKO)
PANTAGES—(2,000) (30c-65c) 7 days, 3rd week. Gross: $12,100. (Average, $7,000)
"Seventeen" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. Revue, Arturo Godoy, Claude Sweeten and orchestra. Gross: $15,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 9th week. Gross: $19,000.
"Castle on the Hudson" (W. B.)
"Charlie McCarthy, Detective" (Univ.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $9,700. (Average, $14,000)
"Castle on the Hudson" (W. B.)
"Charlie McCarthy, Detective" (Univ.)
WARNER BROS. (Downtown) — (3,400) (30c-65c) 7 days. Gross: $10,600. (Average, $12,000)

'Melody' at $13,500 Leads Providence

Providence, March 5. — Loew's State's double, "Broadway Melody of 1940" and "The Lone Wolf Strikes," garnered $13,500 to lead the town in what was otherwise an average week.

Estimated takings for the week ending Feb. 27-29:

"Swiss Family Robinson" (RKO)
"Married and in Love" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $6,000)
"Broadway Melody of 1940" (M-G-M)
"The Lone Wolf Strikes" (Col.)
LOEW'S STATE—(3,232) (25c-35c-50c) 7 days. Gross: $13,500. (Average, $11,000)
"Brother Rat and a Baby" (W.B.)
"Charlie Chan in Panama" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $7,000)
"Seventeen" (Para.)
"The Wolf of New York" (Rep.)
STRAND — (2,200) (25c-35c-50c) 7 days. Gross: $6,300. (Average, $6,000)
"The Earl of Chicago" (M-G-M)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Eddie Stanley and Penny Gill; Burnham, Harris and Scott; Joey Rardan; the Five Windsors; and Laurimer and Hudson. Gross: $6,500. (Average, $6,500)
"Harvest" (French Cinema)
AVON — (520) (25c-35c) 7 days. Gross: $1,350.
"Raffles" (U.A.) (3 days)
"Geronimo" (Para.) (3 days)
"His Girl Friday" (Col.) (4 days)
"Secret of Dr. Kildare" (M-G-M) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,300. (Average, $1,700)
"Little Old New York" (20th-Fox)
"Young As You Feel" (20th-Fox)
CARLTON—(1,526) (25c-35c-50c) 2nd week. Gross: $2,500. (Average, $3,500)

Three Firms Formed

Albany, March 5.—Film Associates, Inc., Manfried Pictures Corp. and Bronx Melba Theatre, Inc., have been incorporated to conduct business in New York state.

Theatre, Personnel Notes

Warner Changes Made

Des Moines, March 5.—A number of changes have been made at the local Warner exchange following the announcement that salesman Harry Herman will leave soon to take over the theatre he recently leased at New Hampton, Iowa. Paul Walsh, present booker, will replace Herman as salesman; Paul Leatherby, present confirmation clerk, has been made booker, and John Winn, formerly with Grand National in Omaha, has been made confirmation clerk.

Hartlaub Is Transferred

Cincinnati, March 5. — Robert Hartlaub, manager of the suburban Hollywood, has been transferred to the Norland, also a suburban house. He replaces J. A. Gibbs, resigned. Ralph Morley has been promoted from assistant to manager of the Hollywood. Both houses are units of the Libson-White circuit.

Parsons to Universal

Kansas City, March 5.—Grover C. Parsons, 19 years with M-G-M in the San Francisco area until 1936, and then Western sales manager for Republic, has joined Universal as branch manager here. He succeeds LeRoy J. Miller, branch manager for two years, who is being transferred.

Quits Columbus Theatre

Columbus, O., March 5. — John Jones, who has been manager of the Southern, downtown subsequent run, for several years, has resigned. It is expected that Max Stearn, owner of the house, will take over active operation.

Completing Nashville House

Nashville, Tenn., March 5.—Construction is going forward on the new Belle Meade Theatre and it is expected to be completed early in April, according to officials of the Crescent Amusement Co.

Re-Seat Providence Theatre

Providence, March 5.—The Liberty will be re-seated this Spring. The house, owned by Elmwood Amusement Co., is now undergoing renovation. Edward Bomes is manager.

Sells Kansas Theatre

Kansas City, March 5. — James Bailey has sold the Bailey, Waverly, Kan., to L. O. Woodruff, who formerly managed the Yale, Fort Scott, Kan.

Renovating Providence House

Providence, March 5. — Max Nathanson is redecorating the Hope, East Side second run house, and has installed a new neon sign over the marquee.

Shackelford Joins Columbia

Kansas City, March 5. — M. G. Shackelford, formerly salesman for Monogram, has joined the sales force of Columbia Pictures here.

Plans California Theatre

Calistoga, Cal., March 5.—Owners of the Playhouse Theatre here are planning to replace it with a new theatre.

Lucas & Jenkins Building

Atlanta, March 5.—Construction of a $40,000 community theatre will be begun within the next two weeks by Lucas and Jenkins. The new theatre will be the largest neighborhood house in Atlanta, with a seating capacity of 1,250.

Open Atlanta Theatre

Atlanta, March 5. — The Clair Theatre will open this week, according to C. E. Hilger, manager, and the entire proceeds of the opening day will go to the Red Cross for relief of tornado sufferers.

Schines Take Theatre

Gloversville, N. Y., March 5.—Schine Circuit has closed a deal with Cumberland Amusement Co., of Cumberland, Md., under which Schine will take over the operation of the Strand in Cumberland.

Moving Iowa Theatre

Fontanelle, Ia., March 5.—C. C. Parker, owner of the Fontanelle, has bought a building to which he plans to move his theatre when remodeling is completed.

Plans Bridgeport House

Bridgeport, Conn., March 5.—A. M. Schuman, operator of the Black Rock, plans the 936-seat New Black Rock Theatre Building, including four stores.

Convert Florida House

Titusville, Fla., March 5.—Work will soon start on converting the old Van Croix Theatre into a $10,000 city recreation center and gymnasium.

Installs New Equipment

Manly, Ia., March 5.—H. S. Twedt, owner of the Lido here, has enlarged the projection booth for installation of new sound equipment.

Open Westport House

Westport, Conn., March 5.—The enlarged 700-seat Fine Arts Theatre has been opened by George Comden, after renovation.

Installing New Equipment

New Haven, March 5.—The 760-seat Fishman Lawrence Theatre will install new sound equipment and a new screen.

Interstate Building in Houston

Houston, Tex., March 5.—Interstate Circuit, Inc., will build the $100,000 Almeda here. It will seat 1,000.

Remodels Ohio House

Baltimore, O., March 5.—Rupert McNeeley is remodeling the Ohio here, and installing new seats.

Close Bridgeport House

Bridgeport, Conn., March 5.—The Lyric, run as a burlesque house since last Fall, has closed.

Handles Trans-Lux Bookings

Buying and booking for the two Trans-Lux Theatres at 585 Lexington Ave. and 1144 Madison Ave., is now being handled by the Brandt circuit.

'Raffles' High Denver Gross With $4,500

Denver, March 5. — A severe but brief snowstorm hurt grosses. "Raffles" and "Man Who Wouldn't Talk" at the Paramount drew $4,500.

Estimated takings for the week ending Feb. 28:

"Balalaika" (M-G-M)
ALADDIN—(1,400) (25c-35c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
"The Fighting 69th"
BROADWAY—(1,040) (25c-40c) 7 days, 4th week. Gross: $2,000. (Average, $2,500)
"Sidewalks of London" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $6,500)
"My Little Chickadee" (Univ.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $9,000)
"Swiss Family Robinson" (RKO)
"Joe and Ethel Turp Call on the President" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $7,700. (Average, $9,000)
"Raffles" (U. A.)
"Man Who Wouldn't Talk" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"Little Old New York" (20th-Fox)
"Private Detective" (W. B.)
RIALTO—(878) (25c-40c) 7 days, "Little Old New York," 3rd week. Gross: $2,000. (Average, $1,750)

'Passage,' $12,000 New Haven Leader

New Haven, March 5.—"Northwest Passage" and "Five Little Peppers at Home" played to packed houses all week at the Loew-Poli and piled up a $12,000 take. "My Little Chickadee," dualed at the Roger Sherman with "British Intelligence" grossed $7,000.

Estimated takings for the week ending Feb. 29:

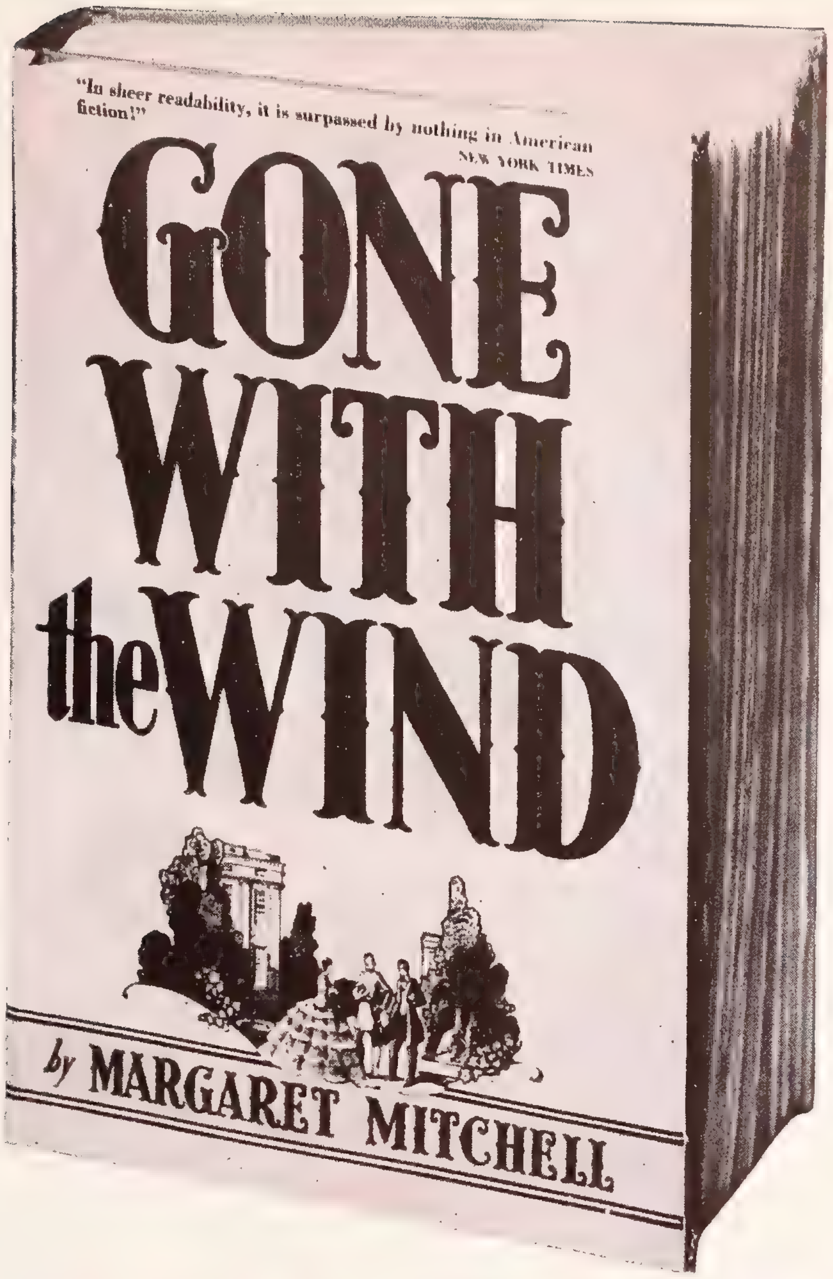
"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (75c-$1.10) 7 days, 5th week. Gross: $4,400. (Average, $2,700)
"Northwest Passage" (M-G-M)
"Five Little Peppers at Home" (Col.)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $12,000. (Average, $8,000)
"Broadway Melody of 1940" (M-G-M)
"Reno" (RKO)
LOEW-POLI-BIJOU—(1,482) (35c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $2,500)
"Secret of Dr. Kildare" (M-G-M)
"High School" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $4,600. (Average, $4,000)
"My Little Chickadee" (Univ.)
"British Intelligence" (W.B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $7,000. (Average, $5,000)

'Wind' Milwaukee's Winner at $17,600

Milwaukee, March 5.—"Gone With the Wind," in its fifth and final week at Fox's Palace drew $17,600. Second money went to "Double Alibi" and Martha Raye, playing the Riverside, with a $13,000 gross.

Estimated takings for the week ending Feb. 29:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (75c-$1.10-$1.50) 7 days, 5th week. Gross: $17,600. (Average, $4,000)
"Double Alibi" (Univ.)
RIVERSIDE—(2,700) (30c-40c-55c) 7 days. Stage: Martha Raye. Gross: $13,000. (Average, $6,500)
"I Take This Woman" (M-G-M)
"Young As You Feel" (20th-Fox)
STRAND — (1,400) (25c-35c-50c) 7 days. Gross: $1,300. (Average, $1,500)
"My Little Chickadee" (Univ.)
"Castle on the Hudson" (W.B.)
WARNER — (2,400) (25c-35c-50c) 7 days. Gross: $5,300. (Average, $4,500)
"Grapes of Wrath" (20th-Fox)
WISCONSIN—(3,200) (35c-40c-60c) 7 days. Gross: $8,400. (Average, $5,500)


"In sheer readability, it is surpassed by nothing in American fiction!"
NEW YORK TIMES
GONE WITH the WIND
by MARGARET MITCHELL

TEN CONGRATULATIONS MR. SELZNICK

and Selznick-International!

The Academy Awards to your organization are the Talk of the Industry. M-G-M, as the distributor, is proud of the privilege to serve your great production.

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THE PERFECT FIGURE

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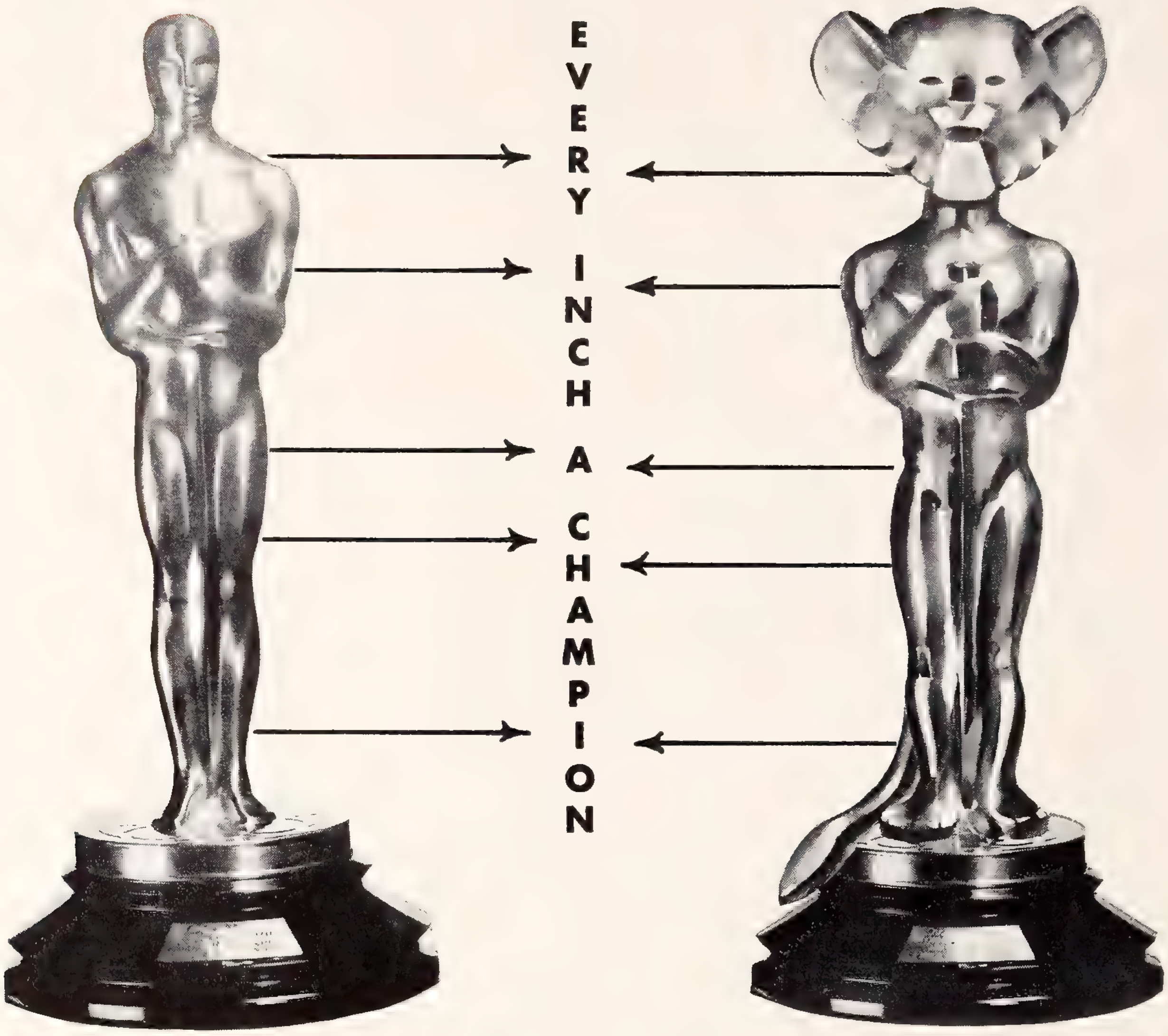

M-G-M gratefully acknowledges its new Academy Awards: Best Male Performance: Robert Donat in "Goodbye Mr. Chips". Best Original Musical Score: Herbert Stothart's for "Wizard of Oz". Special Award to Judy Garland for outstanding performance of juvenile roles. Today M-G-M gets Academy Awards—yesterday it was 600 Film Critics of America who heaped honors on Leo; before that it was *Film Daily's Ten Best,* and *Quigley's Box-Office Champions* and *Variety* and *Box-Office Magazine* and all the others! We're happy to merit these annual tributes, but we're proudest of the golden rewards that come to *your* box-office every day in the year when you play M-G-M pictures!

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Attack Aimed At Producers By N. W. Allied

MINNEAPOLIS, March 5.—Motion picture producers and distributors were accused here today of carrying on a campaign of public misrepresentation regarding their dealings with independent exhibitors.

The accusation was made at the opening of a two-day meeting of the Northwest Allied Theater Owners' Association, called into special session to consider means of combating activities of producers and distributors which the Association regards as unfair.

Association spokesmen attacked the producers specifically for announcing publicly that contract cancellations up to 20 per cent were being permitted, whereas actually, the spokesmen said, reports from exhibitors show such advantage is not being granted.

They also described as untrue the statements of producers to the effect independent exhibitors were not being forced to purchase newsreels and short subjects as condition for obtaining feature films.

The Association, which is affiliated with the National Allied Theater Owners Associations, reiterated its support of the Neely bill, now pending in Congress. Resolutions embodying the points brought out in today's discussions are expected to be adopted tomorrow.

For the first time in 25 years, Al Steffes did not preside at a meeting of the organization. Steffes is ill in Washington, D. C. Sam Ashe, Association secretary, presided in his absence.

AGVA Elects Board In San Francisco

SAN FRANCISCO, March 5.—Organization of American Guild of Variety Artists here is practically completed, following election of an executive board of 21 members.

Named on the AGVA executive board are Lou Ashe, Will Aubrey, Jack Beekmann, Raymond Berta, Sol Bright, Buddy Bowen, Mary Brooks, June Buick, Edward Fox, Don Francisco, James Harvey, Elaine Kyley, Nadja Laurence, Caro Miller, Katherine Miller, Buddie O'Brien, John O'Brien, Frank Rollet, Max Taras, Catherine Toomay and Cliff Work.

Bischoff Will Make 'Singapore' at Col.

HOLLYWOOD, March 5.—Sam Bischoff's first production following his return to Columbia this week will be "Singapore," based on a story by Houston Branch.

B. P. Schulberg, who was added to Columbia's production roster earlier, will begin work soon on "Ode to Liberty."

Picket St. Louis House

ST. LOUIS, March 5. — The Rio, newly opened neighborhood house, is being picketed by the local operators' union, the 13th house of the St. Louis Amusement Co. to be picketed. The circuit, operated by the Fanchon & Marco office, is engaged in a dispute with the union.

Hollywood Review

"Isle of Destiny"

(RKO-Fine Arts)

HOLLYWOOD, March 5.—First of three pictures to be produced by Franklyn Warner's Fine Arts Pictures for RKO release, "Isle of Destiny" is an adventure story in color of aviation and Marines in the South Seas. Over long for its content, it nevertheless has a keynote of strong action, taken from a pulp magazine story written by the prolific Allan Vaughn Elston. William Gargan, Wallace Ford and June Lang are the three top players, supported by Gilbert Roland, the late Etienne Girardot, Katherine DeMille, Gran Richards, Tom Dugan, Harry Woods and Ted Osborne.

Warner, who at one time produced for Grand National release and who now has formed his own distribution corporation for his output other than the RKO contract, has given this film a fine mounting, using the Cosmocolor process of photography and the Cinecolor processing of release prints. It is the first feature length film to be photographed by Cosmocolor.

Arthur Hoerl, M. Coates Webster and Robert Lively wrote the adaptation of the Elston story, and Elmer Clifton directed.

The story is of topical exploitation value. Gargan and Ford, Marines stationed on a South Sea island, both fall in love with a daring aviatrix, sister of their commanding officer. Upon her visit to the island on a round the world flight, she is kidnaped by a leader of a band attempting to smuggle guns illegally to China, in order to divert the Marines' attention while he carries on his plot. Gargan and Ford rescue the girl after an adventurous journey through the jungle, and she marries Gargan, who leaves the Marines to become a pilot.

Running time, 84 minutes. "G."* VANCE KING

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* *"G" denotes general classification.*

Pioneer Woman Exhibitor Dead

Rosedale, Miss., March 5.—Anne Nugent Lobdell, said to be one of the first women to own and manage a motion picture theatre in the nation, died at her family home here. A college graduate, she entered the picture exhibition field as manager of the Talisman here and later bought the New Rosedale, which she operated up to the time of her death. Her mother, Mrs. John Venable Lobdell, and seven sisters and brothers survive.

'Street of Theatres' Proposed for Fair

(Continued from page 1)

film museum and facilities for screen tests. It is estimated the exhibit would cost major companies $150,000.

Inquiry revealed that several of the large companies are not in agreement on either participation in the Fair or the form such participation should take.

Plan Amusement Center

PHILADELPHIA, March 5. — Al J. Chamberlain and Perry R. Hoffman, operating at Allentown and Williamsport, plan an amusement center, of which a de luxe theatre will be the main feature, at their Island Park, outdoor amusement park between Sunbury and Northumberland, which they purchased three years ago.

'Wind' to London

LONDON, March 5.—"Gone With the Wind" will open in London April 15 at three houses, the Empire, Ritz and Palace.

Davidson Named Trustee for G.N.

A deadlock between contending creditors during a hearing yesterday on Educational Pictures resulted in the selection of James A. Davidson as trustee of Educational by Referee John E. Joyce. The selection was made after Referee Joyce ruled that no majority had been voted for a candidate.

The fight had developed earlier in the hearing between Lloyd Wright and Erpi on one side and Harry Fromberg, trustee of Grand National Pictures, on the other. Both groups sought to elect the trustee, the Erpi group winning out when Referee Joyce chose Davidson, the present receiver.

Claims of Wright for $200,000 and of the G.N. trustee for $964,000 were disallowed temporarily by Referee Joyce as unliquidated. This ruling left contending forces without a majority and opened the way for the selection of Davidson by the Referee.

Pennsylvania Bingo Facing Test in Court

LANCASTER, Pa., March 5.—District Attorney K. L. Shirk has disclosed that a test suit on lifting the ban on Bingo in Lancaster County may be brought before the Quarter Sessions court term starting March 11.

Shirk said that arrangements have been made by some county groups to advise him of the time and place of Bingo to be conducted at nearby Neffsville. He said if arrests should be made soon, the case may be placed on the March court list. Should the operators be acquitted, he said, he felt that games would be permitted thereafter. Otherwise, the ban on Bingo would remain, he added.

'Swiss Family' Draws $19,000 Frisco Gross

SAN FRANCISCO, March 5.—"Northwest Passage" took $20,500 at the Fox, "Gone With the Wind" in the fifth week drew $30,500 at the Warfield, and "Swiss Family Robinson," plus vaudeville at the Golden Gate, pulled $19,000.

Estimated takings for the week ending Feb. 27-March 2:

"Swiss Family Robinson" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $19,000. (Average, $15,000)

"The Invisible Man Returns" (Univ.)
"Blondie Brings Up Baby" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days. Gross: $9,000. (Average, $8,000)

"Northwest Passage" (M-G-M)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $20,500. (Average, $16,000)

"Little Old New York" (20th-Fox)
"Charlie Chan in Panama" (20th-Fox)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $11,000. (Average, $11,500)

"The Lion Has Wings" (U. A.)
"Chump at Oxford" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $8,500. (Average, $8,000)

"The Man from Dakota" (M-G-M)
"Congo Maisie" (M-G-M)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)

"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days, 5th week. Gross: $30,500. (Average, $12,000)

"Harvest" (Foreign)
CLAY—(400) (15c-35c-40c) 7 days, 2nd week. Gross: $1,400. (Average, $1,000)

"A Woman's Face" (Foreign)
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $900. (Average, $1,000)

Legion Approves 10 Of 12 New Pictures

National Legion of Decency has reviewed 12 films for the current week, of which 10 are approved, eight for general patronage and two for adults. One is found objectionable in part and the other condemned. New films and their classifications follow:

Class A-1, Unobjectionable for General Patronage — "Blondie on a Budget," "Bullet Code," "Bullets for Rustlers," "Charlie Chan in Panama," "The Sagebrush Family Trails West," "The Showdown," "Texas Renegades," "Zanzibar." Class A-2, Unobjectionable for Adults—"Louise," "Outside the Three Mile Limit." Class B, Objectionable in Part—"Road to Singapore." Class C, Condemned —"Human Beast."

Van Schmus Is Host To 150 at Screening

More than 150 persons were guests of W. G. Van Schmus, managing director of the Music Hall, at a private screening of "My Son, My Son!" last night in two projection rooms. After the screening, refreshments were served to the assembled trade press, theatre officials and their friends.

Among those present were Mr. and Mrs. Martin Quigley, Martin Quigley, Jr., J. J. Milstein, Mr. and Mrs. Lynn Farnol, Jack Schlafer, James Mulvey, Arthur Silverstone, James Ivers, Pete Harrison, Harry Kosiner, Al Margolies, Sam Shain, Mr. and Mrs. Leonard Goldenson, Harry D. Buckley, Henry Hull, Marian Rogers, Muriel Babcock, Mr. and Mrs. Sam Dembow, Gus Eyssell, Mr. and Mrs. Leon Netter, Dorothy Bromley, John D. Hertz, Jr. and George Morris.

Ascap Divided Over New Air Contracts

Divided opinion within Ascap's radio committee on the new rate formula for the society's new contracts with broadcasters is delaying completion of the committee's report, it was learned yesterday.

The situation may result in submission of a minority report to the Ascap board at the special meeting to be called to consider the new contract within the next week or two.

The minority group's stand was officially described as a "very strong attitude in opposition to the present ideas" for the new contract. These ideas, it is understood, contemplate a formula which would increase network rates while offering some reductions to independents, especially for sustaining programs.

The radio committee is scheduled to meet tomorrow in an effort to complete its recommendations for the board.

Film Writers Ask For Ouster of Dies

(*Continued from page* 1)

to be investigated by the House committee of which he is chairman . . . by making positive and negative reccommendations as to subject matter of motion pictures while he held such official position, Congressman Dies was in effect constituting himself a political censor of motion pictures . . . and has disqualified himself as an impartial investigator of alleged un-American activities in the motion picture industry."

RADIO BREVITIES

TELEVISION is turning to film house games for audience stimulation. Starting March 16, and each Saturday thereafter, $25 will be given away for winners of a game known as "Minute Mysteries."

A film called "Fast Fingers," starring Charles Coburn and Russell Hicks, is played for 10 minutes and the audience is required to make "yes or no" answers to 15 questions.

About 1,500 cards will be mailed out by NBC for the first show. The correct answers are given on the following week. Anyone answering all questions correctly gets the $25 prize. If no one succeeds, then $15 goes to the one with the highest number of correct answers and $10 is added to the jackpot for the following week. In the event of ties, prizes are divided.

The game is now being used in a number of film houses throughout the country. Roy Post and Austin Ripley, who have used the game for picture magazines and radio, as well as television and film houses, are the copyright owners.

Newsreels for Television

The Don Lee television station, W6XAO, in Los Angeles, will receive newsreels of local events from its affiliate, KFRC, San Francisco, under a deal set with Mel Venter and Al Hunter, in charge of special events and news, respectively. Venter and Hunter will select events to be covered with a camera and rush the completed films to Los Angeles where they will be televised.

Program News

"Who Knows," a dramatic series produced by Jack Johnstone, will be sponsored by Griffin Shoe Polish, starting March 16 *and continuing for* 52 *weeks. The show will be heard Saturdays at* 8:30 *P. M. over four Mutual stations with WOR as the local outlet. . . . Two shows sponsored by American Home Products, "John's Other Wife" and "Just Plain Bill," now heard from* 10:15 *A. M. to* 10:45 *over NBC-Red, will be switched to the Blue network on March* 25 *and will be heard at a new time,* 3:30 *P. M. to* 4, *Mondays through Fridays.*

"Hams" Advertise Charlotte

Charlotte, N. C., radio amateurs are engaged in a campaign to advertise the city over the world. The "hams" are boosting the city in their contacts with other amateurs. Robert E. Dawson frequently contacts the Byrd expedition in the Antarctic.

Air-Ground Television Today

Weather permitting, RCA will demonstrate its new two-way television apparatus between airplane and ground today at 1:30 P. M. The new portable cameras will be installed in the United Air Lines *Flight Research* and views of Manhattan from the air will be available to all sets in this area. After the experiment is completed, the cameras will be released for use by NBC's television station for pickups of regular radio programs for television.

Personalities in the News

Barry Wood and the Lyn Murray chorus will head the "Pursuit of Happiness" show over CBS on Sunday at 4:30 *P. M. . . . Ben Grauer adds another show to his list when he takes over "Battle of the Sexes" on March* 19 *over NBC-Red as announcer and commentator. . . .*

Dinah Shore has been signed as featured singer on the Ben Bernie program over CBS, starting Sunday. . . . Bobby Feldman, formerly with WNEW and WMCA, has joined the WOR Artists Bureau. . . . Leonard Reinsch, manager of WHIO, Dayton, has been transferred to WSB, Atlanta, where he will also act as station manager. James Le Gate, of WIOD, Miami, succeeds Reinsch. . . .

Sam and Bella Spewack, scenarists and playwrights, will be "Information, Please" guests next Tuesday over NBC-Blue at 8:30 *P. M. . . . R. Henry Norweb, U. S. Ambassador to Peru, succeeds the late Prof. A. E. Kennelly, of Harvard, as a member of the board of judges for the* 1939 *William S. Paley Amateur Radio Award.*

Adopts FM Tomorrow

WBNS, CBS affiliate in Columbus, Ohio, will inaugurate frequency modulation on its station W8XVH tomorrow.

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"That's right! I did it, and I'm not sorry either. He deserved it—and I'd do the same thing over again."

Court Doubts Any Coercion Of Witnesses

(*Continued from page* 1)

opportunity of checking on charges in a complaint, he contended. Moreover, the defendants already know of the identity of at least 150 witnesse[illegible]nd have taken no steps to influence [illegible]m, he concluded.

Williams stated that Government answers to interrogatories will disclose the identity of 550 prospective witnesses. Many of these have exacted promises from the Government that their names will not be revealed, he said.

Fear of retaliation is so great that many witnesses have refused to testify, he asserted. The Government was keeping its promise to protect witnesses by making this application, Williams reiterated.

John F. Caskey, Louis D. Frohlich, Robert W. Perkins and Edward C. Raftery also opposed the application.

Each of them discounted the Government "worries" of coercion. Schwartz raised the point that any attempt to regulate interviews of witnesses would be unconstitutional as interfering with the private business affairs of the companies.

Judge Goddard did not pass on the question of a pre-trial conference to simplify issues. Discussions on the advisability of a pre-trial conference will take place in the next few weeks, attorneys stated.

Depinet Explains RKO Ties to Theatre Companies

Ned E. Depinet, vice-president in charge of sales for RKO, explained yesterday at a pre-trial examination in the Government's anti-trust suit the advantages of affiliations between the RKO production company and RKO theatre companies.

RKO exhibition companies have shown a readiness to cooperate with the production company on "pioneering work" in contrast to the attitude of independent theatres, he declared. Moreover, the affiliated theatres have presented RKO pictures with showmanship and excellent advertising, thereby bringing in above average returns for films, he said.

The question of the advantage of affiliation was answered by Depinet after defense counsel had objected to it as being "the ultimate issue in the case."

Depinet also explained the factors which determine the choice by RKO of houses for first-run exhibition. Main essentials were amount of rental, reputation of the theatre and owner, advertising and playing policy, and the location of the theatre, he stated.

Barney Balaban, president of Paramount, will testify today, Depinet's examination having ended yesterday.

Rites for Robinson

Funeral services will be held tomorrow for George Robinson, 70, widely known theatre owner and operator of concessions, who died Monday night at his home, 74 Lincoln Road, Brooklyn. He was part owner and manager of the New Brighton Theatre, with which he was associated for 20 years until the house ceased business about 10 years ago. For 35 years he operated concessions in Prospect Park.

NATIONAL VARIETY CLUB CONVENTION

in DALLAS

APRIL 18-19-20_1940

DOWN IN TEXAS WHERE THE FUN BEGINS!

The latch-string of the Great Southwest is out to you, and Tent No. 17 is going to do its darndest to show you the true meaning of Texas Hospitality and the time of your young lives.

ENJOY the fun at the Pioneer Days Village . . . the Mexican Fiesta, Chuck Wagon Food. **MEET** Indian Chiefs, Texas Rangers, and Cowboys. . .

DRESS UP with a Big Hat and a Bigger Smile (the hats are ours, the smile is yours).

Please make your reservations and send in your $10.00 registration check now to Room 202-203 Melbo Building, Dallas.

the BANQUET WILL BE *Streamlined*

Ultra Modern! Super-Smart! Streamlined to the "N'th" degree. As top-heavy with class as the preceding day's activities are Rough, Ready, and Rowdy!

On Saturday Night the Official Banquet will be held. The most sumptuous food you have ever eaten!—Entertainment that is distinctly satisfying!—refreshing!—Famous speakers! Practically every important personality in America—Bob Hope as Master of Ceremonies!

Plan to have a whale of a time!

Just what the doctor ordered

- Trailers . . . Lobby Displays . . . Accessories all under one banner . . . all serviced from the same exchanges . . . all created by men with a special interest in your pictures and a gift for understanding your selling problems.
- An advertising service that covers every angle . . . sells every prospect . . . catches every eye . . . holds every ear and adds that touch of glamour to your lobby and your screen that makes them SHOW WINDOWS for your theatre . . . newsy . . . dramatic . . . provocative SHOW WINDOWS which stop every window-shopper and make customers out of prospects.
- National Screen Trailers have been good box-office medicine for twenty-one years . . . National Screen Lobby Displays have been stepping right along and now ADVERTISING ACCESSORIES INC rounds out the trio of Best Box Office Babies in the Business.

NATIONAL Screen SERVICE·
NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, INC.

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AMER
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Ale
Int
and
Indispensable
to the Motion
Picture
Industry

ION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V 47. NO. 47 NEW YORK, U. S. A., THURSDAY, MARCH 7, 1940 TEN CENTS

Crush of War Taxes Facing Films Abroad

Lange Visions Profitless Years in Europe

By SHERWIN A. KANE

The film industry is faced with the necessity of drastically revising its operations in Europe if those operations are to be conducted profitably in the future, Fred W. Lange, general European representative for Paramount, who is in New York for his annual home office visit, said yesterday.

Lange foresees a time, not far removed, when wartime or post-war taxation will be so widespread throughout Europe and so burdensome that the vast majority of Hollywood pictures will not be able to return a profit in those markets.

In this new business order, Lange believes, it will not be profitable for any American distributor to send more than five or six of his top productions annually to Europe.

This will be the substance of the report which he will make to John W. Hicks, Paramount vice-president and foreign department head, on the latter's return from South America on March 18, Lange said.

There is no doubt in Lange's mind that there will always be a foreign market for American films and a prof-

(*Continued on page* 10)

Atlas' RKO Holding Fixed at $3,414,311

Investment of Atlas Corp. in RKO is indicated at $3,414,311 in the annual report of the investment trust released yesterday. This represents an increase of $981,429 over the investment listed in the annual report for 1938, and is accounted for largely by the underwriting of new RKO common stock by Atlas last December.

The Atlas investment in Paramount underwent no change during the year. According to the company's portfolio, it consists of 4,300 shares of first preferred stock with a market value as of Dec. 30, 1939, of $367,650, and 5,000 shares of second preferred, listed at $45,000.

The only other Atlas investment in the film industry listed in the portfolio consists of 7,000 shares of General Theatres Equipment Corp. with a market value of $87,500 on Dec. 30, last. This, too, represents no change from the preceding year.

The investment company's portfolio

(*Continued on page* 9)

U.S. Bares 550 Witnesses For Trust Fight on Majors

Files 300-Page Reply to Defendants' Queries; Cites Alleged Instances of Coercion And Monopolistic Tactics

By IRA WIT

The Federal Government discloses the identity of 550 prospective witnesses in its New York anti-trust suit against the majors in a 300-page answer to the defendants' interrogatories which it filed yesterday in U. S. District Court.

For Names of the 550 Witnesses See Page 7.

In contrast with the Government's bill of particulars previously filed in the suit, the consolidated answer details several hundred alleged instances of coercive methods employed to obtain independent theatres or of discriminatory tactics against unaffiliated exhibitors.

A list of statistical charts and reference books upon which the Government expects to rely in presenting its case also was set forth. Additionally, the answers indexed 1,040 franchise and licensing agreements which the Government will use in an attempt to show that monopoly has been practiced by the majors.

This list includes agreements for the 1934-'35, 1935-'36 and 1936-'37 seasons which were supplied by the defendants, the answer explains. Wherever a licensing agreement is listed, it will include all deal sheets and modifications, the Government stated.

The answer pointed out that additional lists of agreements for other seasons may be added from time to time. The table of witnesses named are divided into two groups, those lo-

(*Continued on page* 7)

U. S. Will Question Sears on Monday

Having finished its questioning of Barney Balaban yesterday at the pre-trust trial examination, the Government will next hear Gradwell L. Sears, general sales manager of Warner Bros. He will testify Monday at 10:30 A.M. Federal Judge Goddard on March 27 will discuss the advisability of a pre-trial conference of attorneys.

U. S. Film Service Feature Showing At Regular Prices

A production of the United States Film Service, "The Fight for Life," produced by Pare Lorentz from a portion of Paul de Kruif's book of the same title, is showing at regular admission prices at the Belmont Theatre on 48th St. and is designed for general distribution.

The film, running 69 minutes, and the first feature length picture produced by the Government film unit, of which Lorentz is a director, deals with the treatment of maternity cases in slum areas.

George Gerke, head of the U. S. Film Service in New York, describes the film as the dramatization of a national problem, and designed to publicize the work of several Govern-

(*Continued on page* 2)

Arrangements Set For Quigley Award

Final arrangements are being completed for the presentation of the 1939 Quigley Grand Awards at the Victor Hugo restaurant in Hollywood, on March 12. In addition to the presentation luncheon given by Martin Quigley, a week's program of activities has been provided by the welcoming committee.

A-Mike Vogel left for Hollywood yesterday via American Airlines, in advance of the Awards party, expected to arrive at the end of the week. Ray Bell, winner of the Silver Grand Award, leaves from Washington, and Lige Brien, winner of the Bronze Grand Award, from Ambridge, Pa.

Industry Advised To 'Clean' House

WASHINGTON, March 6.—Urging that the motion picture industry clean its own house, Representative John G. Alexander, of Minnesota, today demanded that Congress call a halt to the enactment of business legislation which he said is destroying individual initiative.

Inserting in the record a letter from Ben Ashe, secretary of Northwest Allied, to W. H. Workman of M-G-M, charging that the company had staged a preview in Minneapolis for the purpose of influencing attending organizations to condemn the Neely bill, Alexander declared that the industry should clean house "and rectify their program so as to meet the criticism on the part of the public which favors the Neely bill."

"Why is it necessary to make such business problems matters of legislation?" he asked. "Why do we have to try, and I believe foolishly, to legislate business ethics and principles of business management?

"It is not only foolish, but it is just another one of the many insidious ways in which we are doing away with individual initiative, contaminating business with politics, and otherwise destroying the sound and fundamental principles of free American government."

Balaban Quizzed On Theatre Deals

Barney Balaban, president of Paramount Pictures, stated at a pre-trial examination yesterday in the New York anti-trust suit that many independent theatre owners obtain films at a lower rental than Paramount Circuit theatres.

In answer to a series of questions on the relative advantages of affiliated houses and independents, Balaban insisted that a substantial number of independants had the edge in securing cheaper rentals on product and that, on the whole, they were doing a more prosperous business than affiliated theatres.

In many instances, Paramount leases its theatres to independents because of better results, the Paramount president said. As added evidence of his belief, Balaban pointed out the case of

(*Continued on page* 4)

◀ Purely Personal ▶

PAT CASEY, Hollywood producers' labor contact, left for the Coast last night following a two weeks' visit in New York.

•

W. G. Van Schmus, Hal Horne, Lou Brecher, Robert Savini, William German, James Mulvey, Sam Shain, Ed Hatrick, A. P. Waxman, Jack Schlaifer, Jack Goetz, Joseph Malcom, Sam Citron, William Fitelson, Joseph Plunkett, Michael Bartlett, Al Bondy, J. J. Milstein, Harry Thomas, Alan Freedman and Jack Mills lunching at Bob Goldstein's Tavern yesterday.

•

Joseph Lee, John D. Hertz, Jr., Robert Milton, Arthur Lewis, Charles Washburn, George Dembow, Barry Jones, Kenyon Nicholson, John Byram and Sydney Phillips lunching at Sardi's yesterday

•

Joseph Goetz, RKO assistant dision manager in Cincinnati, in charge of personnel, was undergoing treatment at Christ Hospital for a throat ailment, when his wife was brought in for an emergency operation. Both are doing well.

•

William F. Rodgers, Charles E. McCarthy, Arthur Hopkins, Milton Shubert, Eddie Grainger, George Kaufman and Elmer Rice at Nick's Hunting Room in the Astor for lunch yesterday.

•

Leonard Peacock, owner of the Gary and Isis, Calgary, Alberta, and his wife are on a motor tour to Washington, Florida, Mexico, California, and Utah, from which they will return in May.

•

William Wyler, director, and his wife, Margaret Tallichet, return today on the *Nieuw Amsterdam* from a West Indies cruise. Other passengers are Jack Alicoate and Mrs. Bernarr McFadden.

•

G. Ralph Branton, Tri-States Theatre business manager, accompanied by his wife and daughter, has left Des Moines for a three-week vacation in California.

•

Arthur Lee, general manager of G. B., is at the Canadian office of Empire-Universal Films, Ltd., Toronto.

•

Ben Atwell has joined the Walt Disney publicity staff for the "Pinocchio" engagement at the Center Theatre.

•

Anna Bell Ward, of the Elliot-Ward Enterprises, Lexington, Ky., is in New York for a few days.

•

P. W. Mahon, owner of theatres in Prince Albert, Sask., has been visiting in Toronto.

•

Rosalind Russell is vacationing at Miami Beach.

•

Anita Louise heads the vaudeville bill at Loew's State beginning today.

•

Charles Levy of RKO's exploitation department has returned from a personal appearance tour with Terry Kilburn.

•

Eugene Vogel, M-G-M salesman in Albany and brother of Joseph R. Vogel, Loew's executive, observes a birthday today.

•

J. Robert Rubin, vice-president and treasurer of Loew's, has returned from Nassau.

•

B. B. Reingold, 20th Century-Fox manager in St. Louis, is vacationing in Florida.

U. S. Film Service Feature Showing At Regular Prices

(*Continued from page* 1)

ment departments, notably the Housing Administration and the Public Health Service.

No distribution arrangement has been determined as yet, Gerke said, pending public reaction during the Belmont engagement, although he indicated that major distribution may be sought. The first of the Film Service's subjects, "The Plough That Broke the Plains," was distributed by the Service itself, with no charge to exhibitors. The second, "The River," also a short, was distributed by Paramount.

Whether or not "The Fight for Life" would be given a Production Code Seal cannot be determined, since under a resolution passed by the directorate of the M.P.P.D.A. last year, films produced by Government agencies for public information do not require Code Seals.

It is planned to sell this film to theatres, rather than offer it free, to defray the cost of production and prints. The money thus acquired would go to the Government, since it is an operation of one of its agencies.

The film dramatically pictures the work of the staff of the Chicago Maternity Center, detailing the manner in which obstetrical cases are handled among slum families. The film was shot for the most part in silent form at the Center and in the homes of the tenement mothers in childbirth, most of them on relief, in Midwestern industrial cities. The direct dialogue sequences and musical score were inserted in Hollywood.

Prices for the current run at the Belmont are 25 cents to 1 P. M., 35 cents to 2 P. M., 55 cents to 6 P. M. and 75 cents to closing. The mezzanine is priced at $1.10 all day.

Two Hays Speches

Will H. Hays, president of M.P.P.D.A., will be chief speaker at the Founder's Day meeting of the Phi Delta Theta fraternity, of which he is a member, in Indianapolis Saturday night. Next Tuesday afternoon he will address School of Engineering students at Princeton University.

Bookers Club to Meet

The Bookers' Club, organization of New York exchange bookers, will hold an open meeting March 18 at the Lincoln Hotel, at which several prominent guest speakers, to be announced later, will discuss topics of major interest to the trade.

N. J. Assembly Asks Premiere of 'Edison'

Trenton, N. J., March 6.—The State Assembly last night passed a resolution sponsored by Edgar Williamson, Jr., of Essex calling on M-G-M to hold the national premiere of "Edison the Man" at the Oranges and Maplewood in Essex County which were closely connected with the inventor's life.

Court Ousts 50 Nick Appointees to Union

St. Louis, March 6.—Membership in Local 143, Motion Picture Operators' Union, of 50 to 60 men taken in by John P. Nick from July, 1935, to April, 1939, while he was boss of the union was invalidated today by Circuit Judge Oakley. The judge permanently enjoined Nick and his aids from interfering with the union.

The Court said Nick and Clyde A. Weston, former business agent of the union, had issued membership cards to many men "who enjoyed bad reputations and were known as police characters."

Robert A. Roessel, attorney for the union, said most of the 50 to 60 men were employed in some of the Fanchon & Marco Theatres. He said only half of the 80 operators working in the F.&M. shows are in good standing in the union.

Bioff Hearing Today Settles Chicago Fate

Chicago, March 6.—The hearing of William Bioff, Coast I.A.T.S.E. leader, on an old Chicago charge, opened here this morning in Criminal Court before Judge Prystalski.

State Senator Abe Marovitz, Bioff's attorney, made a plea that it was unjust to press a misdemeanor charge after such a lapse of time, following testimony by Bioff and cross examination by Assistant State's Attorney Cunningham. Bioff testified as to his activities from the time of the original charge until his arrest on the Coast recently. Marovitz will continue his plea when the hearing is resumed tomorrow.

Buzzell Must Face Jury in Auto Case

Los Angeles, March 6.—J. W. Buzzell, executive secretary of the Central Labor Council and a figure in union discussions with producers over the requested 10 per cent wage increase revocation, must face a jury trial March 25 on a charge of reckless driving growing out of a traffic accident in which his car allegedly struck a group of bystanders and the victim of another mishap.

Music Hall Bookings

Three United Artists' releases are scheduled to go into the Music Hall during March and April. "Rebecca" is due to open there on March 28 and it will be followed by "My Son, My Son!" and "Over the Moon."

Metro Gets English Film

M-G-M has purchased the right to release in the United States "The Stars Look Down," English picture produced abroad by I. Goldsmith.

A.G.V.A. in Bid To Stagehands And Musicians

Continuing its efforts to obtain support of other unions for its organizational campaign, the American Guild of Variety Artists today will seek to enlist the aid of Local 802 of the Musicians Union and the Stagehands Union, Local 1, of the I.A.T.S.E.

Hoyt S. Haddock, A.G.V.A. executive secretary, will confer with leaders of the two local unions to obtain a joint agreement under which each group will respect the picket lines of the others. Stagehands and musicians already operate under such an agreement.

About two weeks ago, the Hotel and Restaurant Employes International Alliance pledged their aid to A. G. V. A.

With all actor unions obligated to aid A.G.V.A., supported by the musicians and stagehands will give A. G V. A. united backing for its campaign, particularly because the Theatrical Teamsters Union is likely to follow the lead of the stagehands.

A.G.V.A.'s campaign against Broadway motion picture presentation houses is awaiting the formal completion of its franchise agreement with the Artists Representatives Association. As soon as this contract is signed, most of the talent agencies operating in the vaudeville field will be forbidden to represent any non-union performers.

Ampa Meeting Today

Three additional publishers' representatives have been added to the program of the Ampa book luncheon today at Dempsey's restaurant. Columbia has arranged for the presence of William Harlow Briggs, editor of Harper & Bros.; George Stevens, editor of Lippincott & Co., and Sumner Putman, advertising manager of Farrar & Rhinehart.

Maxine Elliott Dies

Cannes, France, March 6.— Maxine Elliott, 67, noted actress of both the European and American theatre, died last night. Miss Elliott retired from the theatre in 1920 after a 30-year stage career.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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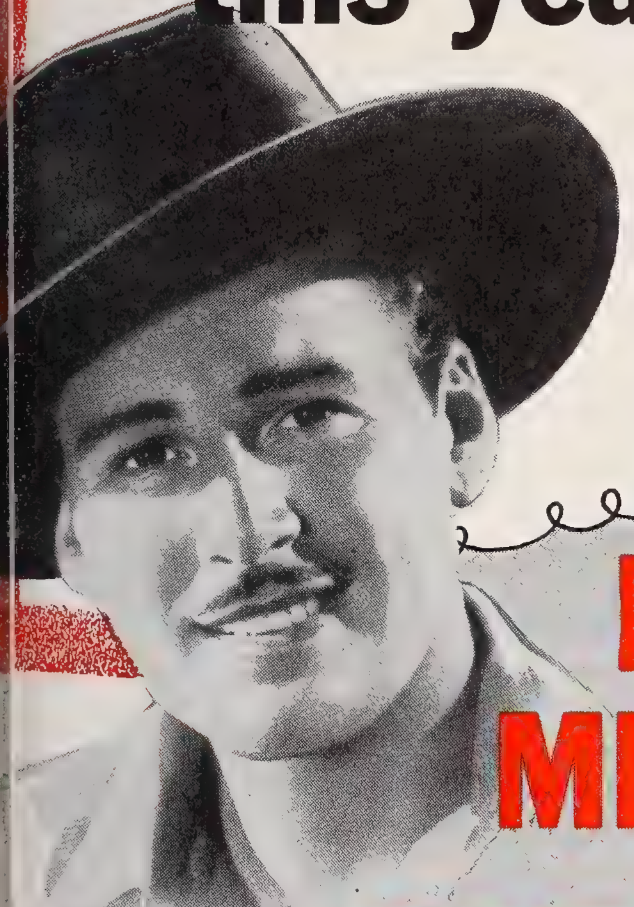
You don't have to Think Twice about this year's Easter Booking!

Once you remember that last year's No. 1 Easter attraction was Flynn in 'Dodge City' there's only one show to think of for this Easter! It's the picture that's loaded with all the action 'Dodge City' had—with a bigger story and an even more sensational stunt to launch it!



If you're a thinking showman your attraction for Easter 1940 will be . . .

ERROL FLYNN
MIRIAM HOPKINS

in

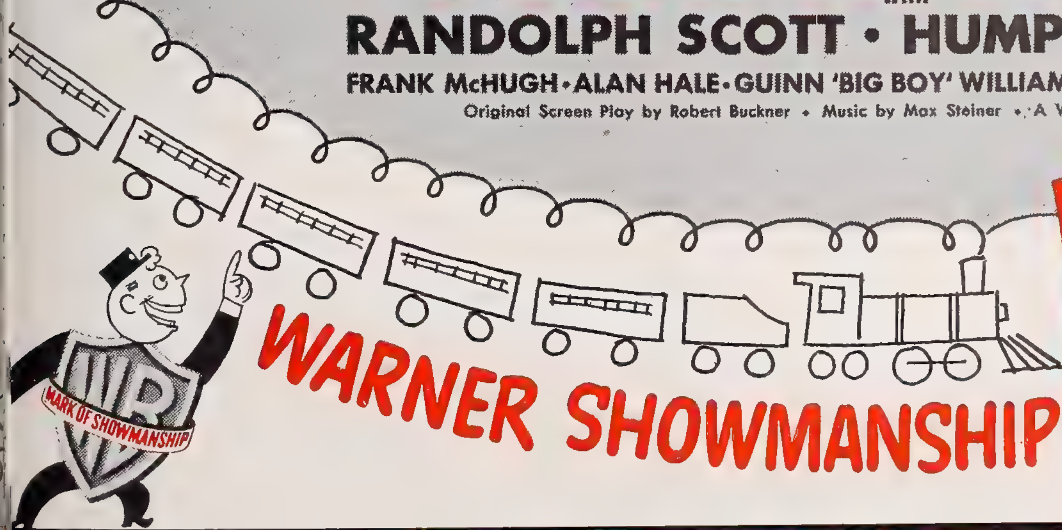
"VIRGINIA CITY"

with

RANDOLPH SCOTT • HUMPHREY BOGART

FRANK McHUGH • ALAN HALE • GUINN 'BIG BOY' WILLIAMS • Directed by MICHAEL CURTIZ

Original Screen Play by Robert Buckner • Music by Max Steiner • A Warner Bros.-First National Picture



WARNER SHOWMANSHIP!

HERE'S THE SEND-OFF!

THE VIRGINIA CITY SPECIAL hits Virginia City for the world premiere March 16. The 200 passengers include correspondents of every wire service in the land, the governors of 5 states, columnists, reporters, Hollywood correspondents, network commentators, newsreel photographers and cars full of stars!

U. S. Questions Balaban Upon Theatre Deals

(Continued from page 1)

Emil Stern in Chicago, who had built up a dozen losing Balaban & Katz houses after securing them from Paramount.

Special Assistant Attorney General Robert L. Wright attempted to show through Balaban that Paramount rigidly regulated the policy of its affiliates from the home office. Balaban, however, claimed that associated houses select their own films and formulate their own policies without interference by the New York office.

Paramount has no fixed policy in acquiring new houses, he continued. If a local theatre man is convinced of the necessity of building, acquiring or altering a theatre, he takes the matter up with the theatre department, Balaban stated.

The Paramount president described the increased difficulties of the large film companies. While admission prices and attendance has dropped since 1929 production costs have almost doubled, he asserted.

Advantages of affiliation between producing companies and theatre concerns were explained by Balaban over the objections of attorneys for the defendants. A producing company obtains better handling and advertising of its films and an assured outlet when it owns theatres, he said.

Balaban, who testified for the entire day, ranged from his early days in the industry in 1908 to his policies as president of Paramount. He stated that Paramount purchased a two-thirds interest in Balaban & Katz in 1925 because his company was recognized as a leader in the exhibition field.

Coast Flashes

Hollywood, March 6.—Either Don Quixote or William Shakespeare will be second of Frank Capra productions for Warner release following completion of "The Life of John Doe."

For the first time in recent years, Hollywood technicians, members of the Pacific Coast Section of SMPE, will hold a meeting devoted to discussion of motion picture theatre designs and needs. At Monday night's dinner meeting, the group will hear S. Charles Lee, theatre architect, and E. H. Marks of National Theatre Supply Co.

Cliff Lewis, Paramount studio director of advertising publicity and exploitation, today assumed active charge of the publicity department, making Bert Holloway general publicity assistant. George Thomas was transferred from advertising to publicity to handle wire service syndicate and other outlets of planting.

Jean Bosquet, who formerly did this work, was assigned to unit publicity writing. John Del Valle was shifted from special assignments to unit duty. The changes were necessitated by the resignation of Terry DeLapp, studio publicity director.

Hollywood Review

"Dr. Cyclops"

(*Paramount*)

Hollywood, March 6.—To the unsophisticates of all ages, "Dr. Cyclops" will present as neat a series of "goose bumps" as has ever been induced by a motion picture. An eerie, fantastic, yet powerfully told story, it delves into pseudo-scientific matters, being the tale of a mad biologist in the Inca jungles who, through the harnessing of radio-active pitch-blende, can reduce mammals, including humans, to miniature size without impairing their physical and nervous structures.

It is a picture so bizarre that it inevitably will create much word of mouth interest. It is a triumph for producer Dale Van Every, for director Ernest B. Schoedsack—no stranger to the fantastic in motion pictures, and for the technical workers. Filmed in color, it marks an outstanding step in the use of color process photography.

Albert Dekker makes the most of his role, that of the crazed scientist, and gives it a blood-curdling air. Others in the cast are Thomas Coley, Janice Logan, Charles Halton, Victor Kilian, Frank Yaconelli, Paul Fix, Frank Reicher.

To Schoedsack, to cinematographer Henry Sharp and his associate, Winton Hoch; to process photographers Farciot Edouart (one time Academy special effects award winner) and Wallace Kelly, goes the credit for the advanced technologal methods used in creating the unusual effects.

Coley, Miss Logan and Halton are sent to aid Dekker in his experiments in his jungle laboratory. When they insist upon staying after dismissal by Dekker and learn the mystery of his experiments, he transforms them, his servant and a mule driver into miniature people by use of radium. Two are killed, the remainder escape, and after killing the doctor, grow to normal size again.

Running time, 75 minutes. "G."* VANCE KING

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*"G" denotes general classification.

Short Subject Review

"March of Time, No. 8"

(*RKO*)

"Canada at War" is the title of the latest "March of Time" release and it describes the activities of our neighbor to the north, now that it has become one of the belligerent powers. Aside from the fact that it should bring an awareness to United States citizens of how close the war is to our shores, the reel has little to offer. It contains the usual shots of marching soldiers, officers preparing war maps, an aviation training project and sea scenes. Highlight of the reel is a scene showing the soldiers at Salvation Army and Y.M.C.A. headquarters. Running time, 18 mins.

Virginia City Awaits Big Premiere Influx

Nevada officials are making arrangements for an influx of thousands of visitors to Reno and Virginia City March 16 for the celebration in connection with the three-theatre premiere of Warners' "Virginia City," according to the company.

The attraction will be the personal appearance of 40 players, in addition to some 150 newspaper writers and photographers who will cover the premiere.

Patriotic Theatres

The I.T.O.A. at a meeting yesterday voted unanimously to add a patriotic note to screen programs by playing "The Star Spangled Banner" at the beginning of each performance and close the shows with another patriotic song.

The suggestion was made by the New York Federation of Women's Clubs, which is urging all theatres in the State to do the same.

'69th' Scores Big $16,800 in Buffalo

Buffalo, March 6.—"The Fighting 69th," coupled with "High School" was best here with $16,800 at the Great Lakes. "Little Old New York" made $8,000 at the Hippodrome, while "My Little Chickadee" made $11,000 at the Lafayette.

Estimated takings for the week ending March 2:

"Broadway Melody of 1940" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. D'Artega and orchestra, Ben Yost Varsity Singers, Helene Daniels and Gertrude Lutzi in Musical Moods. Gross: $11,800. (Average, $12,000)

"The Fighting 69th" (W. B.)
"High School" (20th-Fox)
GREAT LAKES — (3,000) (30c-50c) 8½ days. Gross: $16,800. (Average, $7,500)

"Little Old New York" (20th-Fox)
"The Llano Kid" (Para.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $8,000. (Average, $6,800)

"Swiss Family Robinson" (RKO)
"Saint's Double Trouble" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $7,500. (Average, $6,800)

"My Little Chickadee" (Univ.)
"Missing Evidence" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $11,000. (Average, $6,300)

Tips on Exploitation

Albany Bill Named for Film, 'Many Husbands'

N. Y. State Senator Edward J. Coughlin has named his measure outlawing multiple alimony after the title of the new Columbia film, "Too M[illegible]y Husbands." The stunt, agreed t[illegible] the legislator to publicize his measure, was arranged by Columbia's exploitation department, headed by Frank McGrann.

Letters to Doctors Aid 'Ehrlich' Run

Boston, March 6.—The Metropolitan Theatre sent out 2,500 letters to prominent doctors and physicians in Boston, calling attention to "Dr. Ehrlich's Magic Bullet." The letters were personally signed by the manager of the theatre.

In Albany, State Commissioner of Health Dr. E. S. Godfrey has sent letters to doctors and nurses in his locality praising the film, after attending a special screening for the medical profession.

Story Writing Test Used on 'Friday'

Vancouver, B. C., March 6.—Maynard Joiner, manager of the Capitol here, featured a mystery story writing contest in his exploitation on "His Girl Friday." Arlie Mills, 19, won a week's work with the *Evening Sun*, local daily, at a salary of $25.

'Lincoln,' 'Blue Bird' Are Dualed by RKO

RKO circuit in the New York metropolitan area will play a double bill combination of RKO's "Abe Lincoln in Illinois" and "The Blue Bird," 20th Century-Fox film, starting tomorrow at the Albee in Brooklyn.

On March 14 the combination will open for a week at the Palace on Broadway; on March 21 at Manhattan neighborhoods and March 28 at Brooklyn neighborhoods.

The strong double bill is a feature of the John J. O'Connor business drive, honoring the general manager of the circuit, which starts today and ends April 10. A total of 54 theatre are participating in Greater New York, Trenton and New Brunswick, N. J.

Honor Chamberlain

Philadelphia, March 6. — Al J. Chamberlain, who in association with Perry R. Hoffman, operates a group of houses at Allentown and Williamsport, will be tendered a testimonial dinner by the Variety Club on April 1 at the Warwick Hotel, marking his 30th year in the business. Chief Barker Jay Emanuel is in charge of arrangements.

Rites for Mayo's Mother

Funeral services for Mrs. Emma Spiegel Kahn, mother of Archie Mayo, film director, were held yesterday at the Park West Chapel here, followed by interment in Mount Neboh cemetery. Mayo flew from Hollywood to attend the funeral.

DAVID O. SELZNICK

who made

"GONE WITH THE WIND"

now presents his newest production, another triumphant box-office attraction based on Daphne duMaurier's novel that has inspired similar world-acclaim...

Rebecca

directed by Alfred Hitchcock, master of suspense . . . co-starring Laurence Olivier, hero of "Wuthering Heights," and Joan Fontaine in her first starring role.

A Pre-Selling Campaign To Match Its Bigness...

...more than 400,000 copies of the original edition sold. Reprint now leading all others.

...read in 3,000,000 additional homes when published in Ladies' Home Journal.

...currently appearing in a score of big city papers to millions more as a 40-day serial, vigorously promoted.

...feature articles on book and picture in Life, Collier's and other national magazines.

...sold to radio millions on two coast-to-coast broadcasts including one presented by Orson Welles.

...woman-interest captured thru Kiviette tie-up in America's top-flight stores.

SELZNICK INTERNATIONAL *presents*

Rebecca

starring

LAURENCE OLIVIER · JOAN FONTAINE

with

GEORGE SANDERS • JUDITH ANDERSON • *Directed by* ALFRED HITCHCOCK

From the best-selling novel by DAPHNE DU MAURIER

Produced by DAVID O. SELZNICK

RELEASED THRU UNITED ARTISTS

U. S. Bares 550 Witnesses for Trust Trial

(*Continued from page* 1)

cated in key cities and those in smaller towns throughout the country.

These witnesses are described as persons with knowledge of alleged monopolistic methods of the majors in their particular theatre areas, but are [illegible] specifically named as complainants. [illegible] another part of the answer, the Government details a list of agreements between majors to share product in specific cities.

Agreements between the defendants for the pooling of theatres in different areas also are listed. As to alleged understandings by majors to divide theatre territory, the Government states that it cannot, at present, set them forth specifically.

Names 23 Independent Producers

Alleged monopoly in the production field is covered in a separate part of the answer. The Government itemizes 23 independent producers, many now out of business, who will claim that they were systematically excluded from the production field by the majors.

The Government's reply asserts that the following "have knowledge that pictures of independent producers have been excluded from first run metropolitan theatres affiliated with exhibitor-defendants; that when independent producers have attempted to license pictures for exhibition in such theatres they have been refused, and that pictures produced by independent producers have been equivalent or superior in entertainment value to the product exhibited in such theatres":

I. E. Chadwick, Louis Weiss, Harry S. Webb, Reliable Pictures; A. W. Hackel, Supreme Pictures; Arthur Alexander, Colony Pictures; Clifford Sanforth and Harry Spitz, Cameo Pictures & Imperial Corp.; John N. Hicks, Academy Pictures; R. N. Like, International Film Studios; Leslie Simmons, Excelsior Pictures; Emanuel Cohen, Major Pictures Corp.; Fred Futter, Futter Prod.; Nat Levine; Maury Cohen; Carl Leserman, Grand National Dist. Corp.; Samuel Katzman, Victory Pictures; Boris Petroff; Harold Lewis, B. F. Zeidman Prod.; Leo J. McCarthy; Russell Mack; Phil Goldstone and E. B. Derr, Crescent Pictures, all of California, and Edward J. Peskay, New York.

Claim 'Forcing' of Shorts

Names of witnesses which the Government will call with regard to its claim of "forcing" shorts are also listed by the Government.

The following persons are said by the Government to have knowledge of exhibition monopoly of first run films in 28 key cities:

ALBANY

Abraham Stone.

ATLANTA

Charles A. Adams, L. W. Carter, Jack Elwell, O. L. Gaston, Frank Harris, Robert R. Meyer, W. T. Murray, C. H. Rogers, Claude D. Swint and George Wilby.

BOSTON

Irving Isaacs, Max L. Levenson, Frederick E. Lieberman, Walter B. Littlefield, E. M. Loew, David Stoneham, Max Shoolman and Nathan Yamins.

BROOKLYN

Julius Charnow, Samuel Rhonheimer, Rudolph Sanders, Samuel Strausberg, William H. Applegate, Jr., Samuel Goodman, Albert A. Hovell, Edward L. Hyman, S. W. Kaufman, Jack La Reaux, H. Clay Miner, Charles H. Moses, Martin Newman, William Price, Fred J. Schwartz, Leslie R. Schwartz and Joseph R. Springer.

BUFFALO

Nicholas J. Basil, Nikitas Dipson, A. C. Hayman and Max Yellen.

CHARLOTTE, N. C.

Ellis Blumenthal, W. G. Carmichael, Robert G. Hofheimer, T. A. Little and J. F. White, Jr.

CHICAGO

Angelo Brescia, Harold Costello, Robert Farrell, Fred A. Gilford, Aaron Jones, John Jones, Jack Kirsch, Edward Mager, Sam Meyers, Jack Rose, Maurice H. Salkin, Carmelo Scribno, Irving Sevin, Edwin Silverman, Harry Solomon, Leo Solomon, Emil Stern, Salvatore Tomaso and Herman Zoble.

CINCINNATI

Frank W. Huss, Jr., Harold Bernstein, Asher Mayer and Saul H. Greenberg.

CLEVELAND

Meyer Kaplan, Meyer S. Fine, Max Lefkowich, Moe B. Horowitz and Perce E. Essick.

DALLAS

L. G. Bessinger, H. A. Cole, Donald Dixon, L. L. Dunbar, O. C. Easter, Bob Euler, R. Z. Glass, Charles L. Hefley, H. C. Houston, Paul Scott, R. J. Stinnett, R. P. Condron and F. M. Baker.

DENVER

E. B. Ellison, DeWitt C. Webber and Charles McIntire.

HOUSTON

O. B. Bridges, J. L. Greenwood, Jack Groves, Sam Kirchheimer, T. G. Teeter and Robert Wygant.

KANSAS CITY

Charles Esterly, Frank C. Grubel, Emanuel Rolsky, Stanley H. Schwartz and Jack F. Truitt.

LOS ANGELES

Max Chotiner, Joe Leo, Robert Gumbiner, Joseph G. Venable, I.T.O. of Southern California, Milton Arthur, Benjamin M. Bernstein, Jack Berman, William Fox, H. W. Chotiner, R. D. Whitson and Herman Lewis.

MEMPHIS

J. J. Rhodes.

MILWAUKEE

Ross J. Baldwin, James Boden, George Fischer, B. K. Fischer, Earl W. Fischer, Andrew C. Gutenberg, J. E. Honthauer, Elmer G. Huhnke, Ernst Langemack, Harry Perlewitz, John H. Silliman, Wilfred Wagner and Charles Washicheck.

MINNEAPOLIS

Bennie Berger, George Benz and William A. Steffes.

NEWARK

A. Bannon, John Firkoess, George Gold, H. A. Kridel, Myron Robinson, M. B. Schlesinger and B. Tendler.

NEW ORLEANS

E. M. Thomassie, J. L. Alsina, M. J. Brunet, R. J. Brunet, Clarence Chandler, Gustave Coats, W. A. Fonseca, Alfred E. Grosz, Frank R. Heiderich, M. S. Hemstreet, E. Junqua, Bert Kiern, R. J. Langridge, Henry Lazarus, Michel Pisciatto, Frank Ruffino, W. J. Salles, Philip A. Sliman and John Winberry.

NEW YORK

Laurence Bolognino, John Bolte, Howard S. Cullman, Dave Rosenzweig, Joseph M. Seider, Monroe Stein, Israel Zatkin and Bernard Zimetbaum.

OMAHA

Ralph D. Goldberg and Sam Epstein.

PHILADELPHIA

David Barrist, Allen M. Benn, Herbert Elliott, Ben Fertel, William Goldman, George T. Graves, Thomas Lazarick, David Milgram, George Naudascher, Harry Perelman, Milton Rogasner, Henry Rosinsky, Sidney Samuelson, Charles Segall, David Shapiro, Sam Somerson, William Spiegal, Columbus Stamper, Samuel Waldman, I. Yaffe and George F. Wielland.

PITTSBURGH

William D. Davis, Thomas A. Gilbert and Charles Morse.

PORTLAND, ORE.

R. W. Wood, Bob White, H. J. Updegraff, C. Mitchell, Hugh McCredie, Carl Lowe, Lillian Lockwood, G. E. Jackson, William Graeper, Jr., I Geller, William Cutts, Kenneth Cocheline, Joseph Brandt. Kenneth Ames and H. L. Aikins.

SAN FRANCISCO

Joseph Blumenfeld, William Fox, John J. Franklin, Al Hixon, H. LeBallister, Allen Lee, H. S. Levin, N. Mamler, M. L. Markowitz, Charles G. Michaels, George Nasser and Charles E. Petersen.

SEATTLE

J. Von Herberg and LeRoy V. Johnson.

ST. PAUL

Bennie Berger, Howard Dale, Milton E. Montgomery, Joseph Friedman and William A. Steffes.

WASHINGTON, D. C.

Fred S. Kogod, Charles H. Oliver and William E. S. Wilcox.

Each of the following named persons is alleged to have knowledge that in the area in which he is located there has been a monopoly of first or preferred run exhibition of films:

ALABAMA

W. E. Bruce, Selma; D. E. Ponder, Opelika.

ARIZONA

Robert F. Killeen, Phoenix; Nick Diamos, Tucson; Frank Diamos, Tucson.

ARKANSAS

M. J. Kilbourn, Bentonville; R. V. McGinnis, Hope; Saul Harris, Little Rock, Eugene T. Oliver, Little Rock; F. J. Daugherty, West Helena; J. J. Rhodes, West Memphis.

CALIFORNIA

Richard L. Bare, Carmel; William J. Failey, Compton; G. W. Page, Exeter; David L. Loew, Hollywood; Steve Chorak, Mount Shasta; L. L. Bard, Pasadena; W. H. Braman, San Bernardino; D. B. Levin, San Mateo.

COLORADO

H. E. Gollogher, Durango; A. N. Beezley, Littleton; J. J. Goodstein, Longmont.

CONNECTICUT

William Brown, Greenwich; Edward M. Peskay, Greenwich; E. M. Loew, Boston.

DELAWARE

A. J. Belair, Wilmington; Harry Brubaker, Wilmington.

FLORIDA

Robert H. Boardman, St. Petersburgh; Harry Bott, Miami; Mrs. Jessie Mae Browne, Bradenton; Mrs. Jessie Mae Brown, Palmetto; J. E. Churchwell, Panama City; Aaron Coursnen, Miami Beach; John A. Cunningham, Miami; N. V. Darley, Tampa; Louis Goodbread, Lake Worth; B. E. Gore, Tampa; B. L. Hall, Deland; D. V. Marquis, Fort Pierce; Harlow Merryday, Palatka; Sidney Meyer, Miami; M. C. Moore, Jacksonville; H. Pitman, Clearwater; Guy M. Ragan, Sarasota; Erwin Reiss, St. Petersburg; W. J. Stewart, Palmetto; Charles Walder, Miami; Herman Weingarten, Miami.

GEORGIA

O. L. Gaston, Atlanta; Mrs. T. L. Liggett, McRae; Frank Plaginas, Gainesville; Wallace Smith, Jr., Barnesville; Fred G. Weis, Savannah.

IDAHO

A. C. Gordon, Boise; A. L. Cowan, Caldwell; Paul De Mordaunt, Idaho Falls; Hugh Drennan, Idaho Falls; Joseph George, Idaho Falls; Albert Hager, Idaho Falls; Herman J. Brown, Nampa; N. B. Gressman, Pocatello; Harry C. O'Leary, Pocatello.

ILLINOIS

Joseph Desberger, Alton; Noah Bloomer, Belleville; Arnold L. Lund, Berwyn; N. Frye, Danville; John M. Duncan, Decatur; Gust Constan, Decatur; Louis Moroni, Jackson City; Steve Bennis, Lincoln; H. Williams, Stockton; M. Silverman, Waukegan.

INDIANA

Oscar Fine, Evansville; Verner U. Young, Gary; Billy Connors, Marion; Lewis Cochovety, South Bend.

IOWA

J. M. Anderson, Boone; Mrs. J. M. Anderson, Boone; Ira H. Lee, Burlington; Leo F. Wolcott, Eldora; Gail L. Pettit, Houston, Tex.; Charles V. Brown, Iowa City; Thomas A. Brown, Iowa City; Roy J. Lumsden, Iowa City; Ludy Bosten, Muscatine; Vern S. Brown, Omaha; Bruno Pierce, Oscaloosa; Joe Staak, Oscaloosa; A. B. Friedman, Jack Gelfand, Odes A. B. Hilton, Abe Sadoff, Nathan Sadoff, all Sioux City; Sol Shulkin, Sioux City; Nathan Rosenthal, Waterloo.

KANSAS

H. F. Strowig, Abilene; S. M. Wetmore, Arkansas City; H. L. Dunnuck, Atchison; Delmer F. Harris, Concordia; E. O. Briles, Emporia; Russell L. Harris, Hugoton; W. A. Weaver, Iola; Joseph A. Lenski, Pittsburgh; E. B. Danielson, Russell; Gus Diamond, Salina; M. D. Utterback, Wellington; O. F. Sullivan, Wichita.

KENTUCKY

Joseph W. Shuck, Jr., Fulton; Lee W. Moffitt, Owensboro.

LOUISIANA

Gordon C. Ogden, Baton Rouge; George H. Mercer, Cedar Grove; Claude Darce, Morgan City; Roland Siegle, Monroe; Harry Suddath, Natchitoches; Arthur R. Cunningham, Shreveport; R. L. Carnahan, Sulphur.

MAINE

Newell B. Kurson, Bangor; Willard B. Harwood, Gardiner; Erland E. Hardy, Farmington; John Alton Bragg, Farmington; H. H. Paul, Farmington; Wilbur F. Goodwin, Kennebunkport; Abraham L. Goldsmith, Orono; Abraham Goodside, Portland; E. M. Loew, Portland; Carroll T. Cooney, Sr., Waldoboro; Carroll T. Cooney, Jr., Waldoboro.

MASSACHUSETTS

John S. Giles, Cambridge; F. M. Perry, Foxboro; Edward T. Bloomberg, Gloucester; William Siano, Lexington; George Ramsdall, Malden; Joseph G. Spitz, Somerville; Adolph Bendsled, Wellesley Hills.

MICHIGAN

Paul D. Ratliff, Berrien Springs; Margaret R. Vanden Berg, Grand Haven; Samuel H. Himelstein, Grand Rapids; Milton Ward, Ionia; Hollis H. Chase, Lake Odessa; Harvey Callier, Loyola; W. A. Cassidy, Midland; Oscar W. Kendall, Muskegon; Gerald L. Kern, Niles; M. G. Willett, Owosso.

MINNESOTA

Irving Gillman, St. Paul; Mrs. Jessie L. Jensen, White Bear Lake; Carl P. Knudsen, Red Lake Falls.

MISSOURI

Mrs. Marion C. Miller, Boonville; Oliver W. Williams, Brookfield; A. C. Bowman, Nevada; J. T. Ghosen, Sedalia; G. L. Hooper, Topeka.

MISSISSIPPI

Raymond H. Fisher, Belzoni; B. Suddith, Laurel; W. R. Pattie, Leland; Guy Adams, Vicksburg.

MONTANA

William E. Woolfall, Butte; E. E. Harris, Butte; C. L. Griffith, Billings; Oscar C. Paisley, Missoula.

NEBRASKA

Frank E. Hollingsworth, Beatrice; F. C. Luchsinger, Columbus; William N. Youngclaus, Grand Island; Sol O. Reif, Hastings; Frank D. Eager, Lincoln; George F. Monroe, Donald F. Monroe, George O. Monroe, Lincoln.

NEW HAMPSHIRE

E. Charbonneau, Concord; Newell B. Kurson, Franklin; Louis S. Rothenberg, Charles Morse, Portsmouth.

NEW JERSEY

Frank P. Gravatt, Atlantic City; Samuel and Joseph Varbalow, Camden; Jerome and Moe Kridel, Adolph J. Rettig, East Orange; Louis S. Rothenberg, Charles Morse, Elizabeth; Frank Gersten, Englewood; Max Snider, Freehold; Jacob Unger, Hillside; Benjamin Berkowitz, Charles Robinson and B. Spiegel, Jersey City; Julius Charnow, Leonia; Aaron Dollinger, Linden; Monroe Schram, Matawan; James C. Forgione, Metuchen; Fred W. Falkner, Netcong; E. Thornton Kelly, Palisade; George D. Roedels, Palisade; Howard Lesser, Paterson; Giaccomo Siccardi, Plainfield; Frank Warren, Princeton; James Rosensohn, Benjamin Cohn, Roselle; Roth Bros., Summit; James Binkov, Union City; A. Nicoletti, Union City; Eugene Mori, Vineland; W. E. Smith, West Orange.

NEW MEXICO

Frank Maloof, Las Vegas; Victor Bachechi, Albuquerque.

NORTH CAROLINA

F. C. Hanks, Jr., Lenoir; Boyd B. Horton, Concord; Alfred E. Miller, Wilson; Joe W. Mitchell, Spencer.

NORTH DAKOTA

William McCarthy, Fargo.

OHIO

Robert C. Menches, Akron; Moe Horowitz, Cuyahoga Falls; Peter M. Wellman, Girard; Theodore and Gus Chifos, Logan; D. P. Bowman, Marion; Earl V. Seitz, Alden Seitz, Sandusky; William Settos, Springfield; Joseph W. Trunk, Youngstown; John Papulias, Steubenville; J. M. Ulmer, Cleveland.

OREGON

F. W. Harrigan, Corvallis; John Neidenmeyer, Medford.

PENNSYLVANIA

Harry Fried, Ardmore; Joseph Conway, Bala-Cynwyd; Melvin Koff, Darby; Joseph Wodock, Doylestown; Chris Lampros, Farrell; Joseph Weiss, William Weiss, Al Weiss, McKeesport; H. A. Batastini, Punxsutawney; I. Ouslander, Scranton; Harry Stahl, Sharon.

RHODE ISLAND

M. A. Shea, Newport; E. M. Loew, Pawtucket; Louis S. Rothenberg, Charles Morse, Providence.

SOUTH CAROLINA

Fred S. Curdts, Greenville; W. E. Field,

(*Continued on page* 9)

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 9	Five Little Peppers at Home (D) *Edith Fellows*	Broadway Melody of 1940 (G-M) *Astaire-Powell*	East Side Kids (G-D) *Vince Barnett*	Light That Failed (G-D) *Colman-Huston*		Vigil in the Night (A-D) *Lombard-Aherne*	Little Old New York (G-D) *Faye-MacMurray*		My Little Chicadee (A-C) *West-Fields*	Granny Get Your Gun (C) *May Robson*
Feb. 16		Man From Dakota (G-D) *Del Rio-Beery*	Cheyenne Kid (G-O) *Jack Randall*	Sidewalks of London (G-D) *Laughton-Leigh*		Swiss Family Robinson (G-D) *Bartholomew*	Young As You Feel (C) *Jones Family*	Chump at Oxford (G-C) *Laurel-Hardy*	Honeymoon Deferred (C) *Lowe-Lindsay*	Castle on The Hudson (D) *Garfield-O'Brien*
Feb. 23		Northwest Passage (G-D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (G-O) *Jean Parker*		Pinocchio (G)	They Came By Night (D) *Will Fyffe*		Framed (D) *Constance Moore* *Johnnie Downs*	
Mar. 1	Blondie on a Budget (G-C) *Arthur Lake* *Penny Singleton*	Strange Cargo (A-D) *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) Torpedo Raider (D)	Seventeen (G-D) *Field-Cooper*		Little Orvie (D) *Ernest Truex*	Chan in Panama (G-D) *Sidney Toler*	House Across the Bay (A-D) *Joan Bennett* *George Raft*	Double Alibi (D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (G-D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (D) *Bela Lugosi*	Showdown (G-O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (D) *Gargan-Ford*			Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (G-D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (G-D) *Drew-Paige*	Forgotten Girls (D) *Donald Woods*	Millionaire Playboy (G-C) *Joe Penner*	Grapes of Wrath (A-D) *Fonda-Darwell*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (C) *Priscilla Lane*
Mar. 22	Too Many Husbands (C) *Arthur-MacMurray*	Florian (D) *Robert Young*		Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (O) *Gene Autry*	Primrose Path (D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29		Dr. Kildare's Strange Case (D) *Lew Ayres* *L. Barrymore*	Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*	Ghost Valley Raider (O) *Donald Barry*	Irene (M) *Anna Neagle* *Ray Milland*	Free, Blonde and 21 (A-D) *Bari-Davis*	Over the Moon (D) *Merle Oberon*	Black Friday (G-D) *Karloff-Lugosi*	
Apr. 5	Blazing Six Shooters (O) *Starrett*	New Moon (M) *Nelson Eddy* *J. MacDonald*	Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*		Courageous Dr. Christian (D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	One Million B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	
Apr. 12	Man With Nine Lives (D) *Boris Karloff*	Two Girls on Broadway (C) *Turner-Blondell*	Covered Wagon Trails (O) *Jack Randall*	Dr. Cyclops (D) *Albert Decker* *Janice Logan*		My Favorite Wife (D) *Dunne-Grant*	Viva Cisco Kid (D) *Romero*		House of Seven Gables (D) *Lindsay*	
Apr. 19	I Married Adventure (D) *Mrs. Johnson*	And One Was Beautiful (D) *Muir-Cummings*	Phantom Pilot (D) *James Newill*	French Without Tears (C) *Drew-Milland*		Beyond Tomorrow (D) *Binnie Barnes*	Johnny Apollo (D) *Tyrone Power*		Ski Patrol (D)	
Apr. 26	Doctor Takes a Wife *Ray Milland*	Forty Little Mothers (C) *Eddie Cantor*	Missing People (D) *Will Fyffe*	The Biscuit Eater (D) *Lonnie LeRoy*		Curtain Call (D) *Helen Vinson*	Shooting High (O) *Gene Autry*		If I Had My Way (M) *Bing Crosby*	

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

MARCH 8
Popeye Cartoon
FEMALES IS FICKLE

MARCH 8
Stone Age Cartoon
WAY BACK WHEN A NAG WAS ONLY A HORSE

MARCH 15
Headliner
GEORGE OLSEN AND HIS MUSIC

MARCH 15
Paragraphic
NOT SO DUMB

100% BOX OFFICE tested

Atlas Holding In RKO Fixed At $3,414,311

(Continued from page 1)

lists RKO securities in the following amounts: $2,440,626 face amount of six per cent debentures, 1941, with [illegible]arket value of $1,238,617 on Dec. 30, last; and 327,812 shares of old RKO common, having a market value of $409,765, on Dec. 30. In addition, the annual report notes that Atlas holds $1,106,000 principal amount of six per cent past due gold notes of RKO, and $1,254,626 principal amount of unsecured claim against RKO, which are carried on the Atlas books together at $784,500.

For these notes and claim, Atlas last month reecived 4,810 shares of new RKO $100 preferred stock and 214,409 shares of new common.

541,552 New RKO Shares

Through its December underwriting agreement Atlas acquired 249,272 shares of new $1 par RKO common at a cost of $747,816, while an Atlas subsidiary acquired through exercise of subscription rights 77,871 shares of new common at a cost of $233,613.

The report thus reveals present holdings of 541,552 shares of new RKO common and 4,810 shares of new preferred, which makes Atlas the largest stockholder in RKO. These holdings may be further augmented by exchange of old RKO securities for new, by exercise of subscription rights and by acceptance of new RKO securities in payment for Atlas's RKO reorganization services in lieu of cash.

The report notes that Atlas has made expenditures of $924,067 in the reorganization of RKO and one other company.

Discussing the investment policy of Atlas, Floyd B. Odlum, president, states in the report that "Direct income is oftentimes intentionally foregone with the expectation of gaining a larger increment and eventual profit."

"This policy places only secondary emphasis on the direct income obtained from interest and dividends"; primary emphasis being placed on seeking protection and betterment of the shareholder's position in terms of asset value of his stock, the report states.

Cites War-Inspired Problems

Odlum observes that "the motion picture industry has major problems facing it, including those brought about by wars in various parts of the world which have interfered with the income from abroad." "It is to be hoped, however," he says, "that the foresight and efficiencies needed to solve these problems will eventually place the industry in a position stronger than ever."

Net income of Atlas for 1939, before provision for Federal taxes, was $1,234,251. Net assets at the end of the year were $61,053,938, equal to approximately $12.80 per share on the common stock after allowing $50.25 per share on the outstanding preferred.

The RKO investment is the second largest in the Atlas portfolio, being exceeded only by the investment in Utilities Power & Light Corp.

Hollywood Review

"Too Many Husbands"

(Columbia)

Hollywood, March 6.—In the vein of his "True Confession" of several seasons back, producer-director Wesley Ruggles here presents a sharpened and modified version of "Enoch Arden," keyed to 1940.

With practically all of the film's footage devoted to its three principals, Jean Arthur, Fred MacMurray and Melvyn Douglas, uniformly sparkling performances keep pace with the story. Based on W. Somerset Maugham's play, the screen version by Claude Binyon presents Miss Arthur as the wife of a man believed dead when shipwrecked. She thereupon marries his partner and best friend, only to have husband number one turn out to be very much alive.

Adult entertainment in its depiction of the trouble experienced by the wife with "too many husbands" in making up her mind as to which of them she prefers, the film's implication is that either would be equally satisfactory, with the processes of law finally making the decision.

Harry Davenport and Dorothy Peterson give fine performances in their roles of the girl's father and the secretary of husband number two, respectively, while the musical direction of M. W. Stoloff is on a par with the lively and amusing story and the actions of its stars.

Running time, 80 minutes. "A."* WALTER SELDEN

"A" denotes adult classification.

U. S. Bares Names Of 550 Witnesses

(Continued from page 7)

West Greenville; P. C. Osteen, Anderson; H. B. Ram, Aiken.

SOUTH DAKOTA

Robert Mass, Aberdeen; J. P. Hartman, Aberdeen; Nelson Logan, Mitchell; Richard H. Wagner, Sioux Falls.

TENNESSEE

E. F. Stein, Jackson; George Denton, Knoxville.

TEXAS

Jim Golding, Amarillo; Barton McLendon, Atlanta; B. Legg, Denison; I. B. Adelman, Ft. Worth; Sam Archibald, Ft. Worth; C. A. Dickey, Ft. Worth; D. J. Hightower, Ft. Worth; Leon B. Lewis, Ft. Worth; Louis Richker, Ft. Worth; L. C. Tidball, Ft. Worth; Sam Braslau, Galveston; L. M. Threet, Lufkin; B. F. White, Orange; T. W. Lewis, Texarkana; S. G. Fry, Tyler; H. E. Fulgham, Tyler; Rubin Frels, Victoria; George W. Belcher, Wharton; V. E. Hamm, Wichita Falls.

UTAH

W. Vosco Call, Brigham City.

VERMONT

Newell B. Kurson, Middlebury; P. S. Murray, Middlebury.

VIRGINIA

J. F. Falls, Danville; Emanuel J. Stutz, Danville; J. B. Trent, Lynchburg; Robert Levine, Portsmouth; Jeff Hefheimer, Staunton.

WASHINGTON

J. A. Brandt, Bremerton; Mike Barovich, Puyallup; Loren Wahl, Bollingham; Benjamin F. Shearer, Bremerton; A. T. Dishman, Dishman; W. B. McDonald, Olympia; H. D. McBride, Spokane.

WEST VIRGINIA

E. R. Custer, Charleston; Riehnold J. Hiehle, Parkersburg.

WISCONSIN

C. J. Goetz, Beloit; William L. Ainsworth, Fond du Lac; Virginia Den Dooven, Green Bay; George Hannon, Green Bay; J. Zanias, Janesville; Frank Koppelberger, La Crosse; Arthur P. Desameaux, Madison; Steve Dorcey, Mrs. W. Krusienske, Max Krofta and 20th Century Amusement Co., all of Racine, and August Berkholtz, West Bend.

Upholds Pageant Fund

Atlantic City, N. J., March 6.—City appropriation of $10,000 to aid the Showmen's Variety Jubilee, which presents the annual beauty pageant here, has been upheld by Supreme Court Justice Joseph B. Perskie. Harry M. Barstow, Jr., taxpayer, argued the appropriation was a gift of city funds to a private organization. Justice Perskie, however, ruled that the organization was non-profit.

Real Bargain

Columbus, O., March 6.—Real amusement bargains are offered at the Knickerbocker, downtown subsequent run house, which, on Tuesdays, Thursdays and Sundays, plays a stage show in addition to double features, at the regular scale of 10 and 15 cents.

Meeting Soon On Six Trade Concessions

Probability that Ed Kuykendall, M.P.T.O.A. president, will call a meeting of the organization's executive committee here late this month to discuss with major distributors the proposal to include six trade practice concessions in new season's license agreements, was suggested in exhibitor quarters here yesterday.

In local trade opinion, however, it is believed that the M.P.T.O.A. will not take the initiative in pushing its suggestion for an anti-block booking bill to supplant the Neely bill. It was pointed out that the M.P.T.O.A. is fundamentally opposed to any form of Government regulation of the industry and advanced its suggestion for an alternative bill only for the industry's consideration and for whatever the suggestion might be worth. If it is to progress beyond that it may with the aid but not at the instigation of M.P.T.O.A., it was said.

The proposals for trade concessions by way of new season's contracts, however, will definitely be pressed with distributors either through direct negotiation or by correspondence, it was said.

'Outsider' for Carnegie

"The Outsider," Alliance Films' screen version of the Dorothy Brandon play, has been booked to follow "Louise" at the Little Carnegie Playhouse.

DRUMS OF FU MANCHU
Suggested by stories by
SAX ROHMER
with
HENRY BRANDON · WILLIAM ROYLE
ROBERT KELLARD · GLORIA FRANKLIN
"The Foreign Office can't hush this up. He was murdered by Fu Manchu."
A Republic SERIAL IN 15 CHAPTERS

Crush of War Taxes Facing Films Abroad

(Continued from page 1)

itable one, but it cannot be on the same basis as in the past, he says.

Theatres of European nations are a big part of the economic and amusement life of their people, he points out, and will have to be kept open. Only product will keep them open and America is dominant in production and likely to continue so for many years.

The Paramount official regards the present foreign restrictions on currency withdrawals and the depreciation in foreign exchange as of only momentary significance to the industry, factors which will be eliminated in peace time. The real problem, as Lange sees it, is the prohibitive postwar taxation which he believes to be inevitable.

Explains Italian Problem

Lange foresees the eventual breakdown of the American distributors' so-called "solid front" against capitulation to Italy's film trade terms, and is of the opinion that the breakdown is under way even now. He, himself, does not advocate a resumption of trade with Italy, believing that capitulation to that nation's trade restrictions will establish a precedent which will cost the industry many times its return in other world markets. He believes it better to forego Italian revenue now than to pay similar tribute to other nations later.

He said there is no likelihood of Italy "backing down," that the first move will have to come from American distributors if there is to be a resumption of trade. He was advised by Italian sources, he said, that Italy experienced only a three per cent decline in theatre attendance last year, although the bulk of the present patronage is going to subsequent runs instead of first and second runs, so that grosses and admission taxes are less than they were.

Spanish Situation Discouraging

Italy has all the product it needs—271 features were available there last year—but it is of poor quality, he said.

Lange reported that the situation in Spain is equally discouraging. A big internal business can be done there, he said, but no money can be taken out of the country and new regulations require production of pictures within Spain by the distributor under difficult financial regulations. He said he would not recommend resumption of trade with Spain at this time.

Lange said that "practically no money" can be taken out of France and that new regulations, including tax measures, are expected to be published there at any time. He included the Scandinavian countries, Sweden, Norway and Denmark, among those where the financial outlook is serious.

Lange said that three companies, Paramount, M-G-M and 20th Century-Fox, still were doing a good internal business in Germany and Central Europe and that Paramount, as recently as last December, had been successful in obtaining remittances in marks from Germany.

War Experts See Telecast, Hail it as Military Weapon

A striking demonstration of the possible uses of television in wartime was given by NBC yesterday.

Army and Navy observers watching the experiment from private sets, were reported as being amazed by the reception. Portable cameras, the lightest thus far constructed, were mounted in an airplane which circled Manhattan Island, and the image they picked up was received at the Empire State building and re-transmitted by W2XBS.

Military experts believe that the observation of enemy troop movements by scouting planes equipped with television cameras can be of inestimable value in the event of war. Off-shore maneuvers of enemy battleships and offensive tactics on land could be closely watched by the use of such equipment.

Reporters watched the demonstration in the RCA building while aviation editors observed it from a set installed in another United Air Lines plane, which flew alongside the first airplane.

The image received was far from a consistent picture of the ground beneath the plane, but several shots of the World's Fair site, Central Park and the West Side express highway had excellent definition and detail.

The portable cameras, of course, were built for ground use and could not always cope with the vibrations from the plane motors and propellers. However, NBC engineers declared that sets capable of withstanding such vibrations could easily be built.

The plane flew at heights varying from 2,000 to 3,000 feet. A slight haze obstructed the view but the camera's sensitivity to infra-red rays (which constitute a considerable nuisance in the studio) pierced the mist.

Editors in the companion plane had the unique thrill of seeing their own plane on the television screen. The signal was received successfully at the General Electric television station near Schenectady.

Calling the demonstration, "a tremendous technical stride," Lenox R. Lohr, NBC president, declared:

"Its social implications are tremendous. To us at RCA and NBC, it means that today we can give the television public a service never possible before when we were obliged to schedule special events considerably in advance, and use two 10-ton trucks to cart the cameras."

The two portable cameras now in use weigh a total of 700 pounds. They will be utilized in the future for special event pickups and for screening regular radio programs on television sets.

Personalities in the News

Fox Case, CBS director of public affairs on the Coast, has been appointed to the California State Board of Agriculture for a four-year term. . . . Freeman Gosden and Charles Correll, the famed "Amos 'n' Andy," celebrate their 12th anniversary on the air on March 19 at 7 P. M. over CBS. . . . Lanny Grey and Norman Weiser have had their first song published, "Stranger in Heaven," and it will receive an air premiere from Maurice Spitalny's band over NBC-Blue Monday, March 18. . . . John Gambling's "Musical Clock" celebrates its 15th anniversary over WOR tomorrow at 7:15 A. M. The show's Crossley rating indicates that it has more listeners than all other programs combined at the time it is aired.

Radio Programs for Irish

Not to be outdone by NBC's bid for favor with the Irish by the telecasting of the St. Patrick's Day parade up Fifth Avenue on Saturday, March 16, CBS has scheduled an exclusive broadcast by Eamon De Valera, prime minister of Eire, from Dublin on the same afternoon.

"Virginia City" Premiere on Air

World premiere of "Virginia City" in Reno will be carried by 40 Mutual network stations in Western states on March 16 in a deal arranged by Warners. The program will be heard from 6:30-7 P. M., P.S.T. and will originate from KOH.

WQXR's "Buyers' Guide"

WQXR has started a "Buyers' Guide" on the back of its monthly program book, listing the products of companies which sponsor programs over the station. WQXR is the only commercial station which sells its program book to listeners. With a subscription fee of $1 annually, the book has a circulation of 12,000 in the metropolitan area.

Morton Emphasizes Film-Television Ties

CHICAGO, March 6.—Television will make every effort to work with motion pictures, Alfred Morton, NBC vice-president, said here yesterday. Both have much in common, he said.

The executive said that television, recognizing the importance of the screen, would do all in its power to correlate both. Television today presents films 30 per cent of the tim[illegible]d more would be welcome, Morton declared. He expressed the opinion that the use of films would enhance television considerably.

Chicago, New York and Hollywood are key spots for television, and NBC will concentrate actively here shortly. Morton also declared that television would look to films for its best talent and do everything possible to cooperate with the film industry, realizing that such action would mean the success of television.

Canada Ban Stays

TORONTO, March 6.—The Canadian government will take no action to overrule the banning of March of Time's "Canada at War" by Premier Hepburn for Ontario theatres, it was officially announced today.

Form Jewish Films

ALBANY, March 5.—Jewish National Film Corp. has been incorporated here to conduct a motion picture business. Directors named are Benjamin J. Weinberg; H. G. Kosch and Jean Sikoff, New York.

TODAY
AT
AMPA
"GREAT BOOKS MAKE GREAT PICTURES"
Starring
COL. THEODORE ROOSEVELT
MAX SCHUSTER
GILBERT SELDES
BRIAN AHERNE
JOAN FONTAINE
KAY BROWN
ANNIE LAURIE WILLIAMS
PASCAL COVICI
HENRY HULL
JOHN SELBY
and others
JACK DEMPSEY'S
8th Ave. & 50th St.
$1.00 to members
$1.25 to non-members
Today at 12:45 p. m.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible] 47. NO. 48 NEW YORK, U. S. A., FRIDAY, MARCH 8, 1940 TEN CENTS

Britain Plans Wide Release Of Films Here

Government Would Push London Production

London, March 7.—Wider distribution in the United States of high grade films made and distributed by British interests, and the consequent increase in British production is understood as being one of the aims of the new Government export program.

In the same connection, it is understood that revenues derived from the release in the United States of pictures produced by American interests in England, may be retained in the United States.

Such films would be released in the United States under the reciprocity clauses of the Films Act. It is believed that arrangements for the retention in the United States of such revenues were embodied in the currency withdrawal agreement recently formulated.

An initial step in the export program is the formation of an Exports Council, with Sir Andrew Rae Duncan, president of the British Board of Trade, as chairman. It is believed that the film industry may be invited to consult with the council in the export drive.

It is considered possible that quota revision and a stimulus to British production are aims of the council.

Majors Delay Action On Exhibit for Fair

No decision on industry participation in the World's Fair was reached at a meeting of major company representatives yesterday at M.P.P.D.A. headquarters.

Proposal for a "Street of Theatres," to depict the history of the industry since 1900, together with associated exhibits, was discussed, along with other suggestions. The company representatives will meet again next week.

Judge Reserves Decision on Bioff

Chicago, March 7.—Chief Judge Prystalski of Criminal Court today took under advisement the case of William Bioff, Coast I.A.T.S.E. leader, extradited here from California on a 1922 charge.

Police officers on the original case and Morris Green, who was Bioff's attorney at that time, testified when the case resumed today.

McKenzie Resigns As Hays Assistant; Harmon Successor

Maurice McKenzie, executive assistant to Will H. Hays, president of the Motion Picture Producers and Distributors of America, Inc., has resigned, effective April 1, and will be succeeded by Francis S. Harmon, who has been with the organization in public relations, Production Code and other activities for several years.

McKenzie has been with the Hays organization since its inception in capacities close to the president. He became first associated with Hays when "the general" was elected chairman of the Republican National Committee in 1918. Their acquaintance was formed in Indiana, when Hays was the lawyer from Sullivan and McKenzie was from Crown Point.

McKenzie is building a new country home at Crown Point, where he plans to turn his life long hobby of gardening into an incidental profession. He recently sold his landscaped country place at Lockwood's Corners in Fairfield County, Conn.

Weeks Plans Eight Monogram Films

A production program of eight to 10 features is planned by George W. Weeks for release through Monogram next season.

Weeks will leave late next week for the Coast, en route continuing conferences with exchange heads which he started recently in the South. He plans to arrive on the Coast April 10 to start his production.

Weeks is completing his duties as vice-president in charge of sales, from which post he recently resigned.

State Budget Passed; No New Film Taxes

Albany, March 7. — The Senate tonight joined the Assembly in passing the $391,000,000 budget. The budget retains all emergency taxes and the motion picture film levy. There are no new taxes against the picture business. Film executives were among those who helped defeat the proposed increase in income taxes.

Majors Attack U.S. Trust Stipulations

Major company defendants in the Government's New York anti-trust suit will oppose virtually every stipulation on the Government list presented last week, it was learned yesterday.

Counsel for defendants contend that the subjects which the Government seeks to have stipulated as factual are all based on misinformation and misconception of trade practices. They assert that for them to stipulate that the Government's representations are true would be equivalent to signing a consent decree.

Defense attorneys contend that even

(*Continued on page 2*)

Settlement Reached In Dallas Trust Suit

Dallas, March 7.—A final decree in settlement of the anti-trust suit filed against the Interstate Circuit here by Paul Prugh Scott, Houston exhibitor, was entered in Federal court here today.

Under the settlement, Interstate will

(*Continued on page 5*)

68% of Season's Product Completed by 10 Studios

As the 1939-'40 season this week reached the half-way mark, a check-up by *Motion Picture Herald* indicates that Hollywood has completed 68 per cent, or 338, of the 500 features promised, compared with 70 per cent, or 349, of the 479 promised last year.

Studio commitments have not been drastically slowed down either to distribution affiliates or on distributors' releases as a result of holdovers and moveovers on big productions, it is pointed out.

On actual releases, the 10 large distributors have delivered 53 per cent of the 1939-'40 commitments, a total of 259, compared with 55 per cent, a total of 263, last season at the corresponding time.

Completed and "in the can" for release subsequent to this week are 79 features, or 16 per cent; last year in March there were 86 completed, or 18 per cent.

The 10 companies include Columbia, M-G-M, Monogram, Paramount, Republic, RKO, 20th Century-Fox, United Artists, Universal and Warners.

Delay Looms For Hearings On Neely Bill

April 1 Considered Likely Time for Inquiry

Washington, March 7.—Hearings on the Neely bill by the House committee are not likely to start until the closing days of March.

This opinion was officially expressed today following a statement that the House Interstate Commerce Committee will be busy for another several weeks unraveling the tangled aspects of the transportation bill.

Committee members about a month ago indicated that the Neely hearings would start probably about March 15.

Senate and house conferees are presently engaged with the carrier bill, seeking to reach compromises on controversial issues of the measure.

Since important members of the House Interstate Commerce Committee are on the conference group and since it is the desire of its chairman, Clarence F. Lea of California, to have the Neely hearings conducted before the committee's full membership, no action will be taken on the Neely bill until after the transportation bill has been sent to the House and Senate for final approval.

In the meanwhile pros and cons of the Neely bill are being debated before various organizations throughout the country. Many of these groups intend to send representatives to the hearing to uphold or fight the Neely bill.

Metro Adds More Theatres in Brazil

M-G-M has acquired sites for two theatres in suburbs of Rio de Janeiro and plans to construct five additional neighborhood theatres in the Brazilian metropolis.

This will make a total of nine theatres for the company in Brazil. M-G-M has two metropolitan first runs in that country, the Metro in Rio de Janeiro, recently opened, and another in Sao Paulo.

Reason for the expansion is to provide the territory with up-to-date houses where M-G-M would obtain adequate representation for its product.

Arthur M. Loew, vice-president in charge of foreign activities, is directing plans for a 2,000-seat house and another of 1,700 seats on the sites already acquired.

Majors Attack U.S. Trust Stipulations

(Continued from page 1)

the commonest of trade terms employed by the Government in its stipulations are incorrectly used.

No response to the stipulations is required for some time to come, however, and the matter may go over to March 27, at which time Federal Judge Henry W. Goddard is scheduled to discuss with counsel a general procedure for pre-trial conferences.

Inasmuch as these conferences, as well as the stipulations, have the general objective of shortening the actual trial, it is believed that the two will be discussed together.

Defense attorneys began their study of the Government's 300-page answer to interrogatories yesterday. First reactions were uniformly mild, indicating that nothing unexpected had been discovered in the document.

Presumably, the answers will have to suffice all defendants except Columbia, which won the right earlier to examine the Government's replies and, if it found them unsatisfactory or lacking in vital information, could come before Judge Goddard and request additional data.

Columbia had been scheduled to do this today, since the Government's answers were due March 1. However. an additonal week's time will be given the defendant to study the answers before making its application, since the Government was five days late in furnishing the answers.

Legal opinion now is that the mounting mass of detail which faces the attorneys for both sides, and the court, makes the start of trial by May 1 more doubtful than ever.

Purely Personal

JAMES ROOSEVELT will be the guest speaker today at the monthly meeting of the Headline Club, Chicago journalistic group, at the Hotel Sherman.

•

RAY MILLAND is the father of a six and one-half pound son, born to MRS. MURIEL WEBER MILLAND at Cedars of Lebanon Hospital in Hollywood Wednesday.

•

EDWIN SILVERMAN, Essaness circuit executive in Chicago, is the father of an eight-pound boy, born this week to MRS. SILVERMAN at the Michael Reese Hospital.

•

JOHN EBERSON, theatre architect, is on his way to Houston, Texas, where he will supervise the construction of a large office building.

•

JACK KIRSCH, president of Allied Theatres of Illinois, has delayed his return to Chicago from Miami Beach until next week.

•

THOMAS MITCHELL arrives in town today from the Coast for a vacation.

•

ERNEST SCHOEDSACK has left for a trip by yacht for Central America.

•

I. GOLDSMITH, British producer, arrives by plane today from the Coast.

•

SAM SPRING, film attorney, left yesterday for Hollywood.

•

FRANK C. WALKER has returned from Palm Beach.

•

S. BARRET McCORMICK, RKO advertising and publicity director, will leave for the Coast early next week.

•

BARNEY BALABAN, AUSTIN KEOUGH, LOUIS PHILLIPS, FRANK McHUGH, AL LEWIS, I. E. LOPERT, ARTHUR KRIM JOSEPH LEE, SIDNEY PHILLIPS, A. P. WAXMAN, RUSSEL CROUSE and EDDIE DOWLING lunching at Sardi's yesterday.

•

LYNN FARNOL, United Artists advertising and publicity director, will leave for the Coast by plane on Sunday to discuss campaigns on the company's forthcoming product.

•

CHARLES E. McCARTHY, CHARLES CASANAVE, MAX DREYFUS, WILLIAM F. RODGERS and WALLY OWEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

FRANK J. McCARTHY, Universal Eastern sales manager, is on a tour of the company's exchanges in Pittsburgh, Cincinnati, Cleveland and Buffalo.

•

JOHN KENNETH HYATT, managing director of the Center Theatre, returned yesterday from a Caribbean cruise.

•

NICHOLAS M. SCHENCK, president of M-G-M, has returned to Miami Beach following a short stay in New York.

•

EDWIN C. STEIN, Eastern publicity representative for Samuel Goldwyn, will leave for the Coast by plane today.

•

I. GOLDSMITH, British producer, returns here today from Hollywood where he has been visiting.

•

LEE NEWBURY, president of New Jersev Allied, has returned to Florida to resume his vacation.

•

JAMES MULVEY, Samuel Goldwyn's Eastern representative, will leave for Florida this weekend.

•

TRUMAN H. TALLY, vice-president of Movietone News, has returned from Washington.

•

OSA JOHNSON will arrive from the Coast by train on Monday.

•

REGINA CREWE has returned from the Coast.

Stockholders Lose Midland Prop. Suit

BUFFALO, March 7.—A stockholders' suit for accounting and uncomputed money returns against Midland Properties, Inc., owner of the Century theater holdings, 511 Main St., and former and present officers and directors was dismissed today by Referee Thomas H. Noonan.

The suit was brought by William P. Eckhardt and Joseph C. Henafelt as stockholders and former directors of Midland Properties. They charged squandering of corporation funds.

Other defendants were Charles J. Deckop, William R. Pooley, William L. Marcy, Jr., Eugene Warner, Edwin F. Jaeckle, Maurice L. Parry and J. Chester Goldberg.

Newsreel Parade

Varied events comprise the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 52—Sleet storm in New York. Fire at LaGuardia airport. Carnival in Italy. Choose "Miss Florida of 1940." Food and ammunition stored on Maginot Line. Oliver S[illegible]ley at front. Hull greets Australian A[illegible]sador in Washington. King Zog with family in France. Pursuit planes in trial flights. Bowling tournament in Chicago. Track meet in New York. Water ballet in Chicago. Giants in training. Lew Lehr.

NEWS OF THE DAY, No. 250—Situation on the Maginot Line. Allied troops in Egypt. Sleet storm in East. Miami bathing beauties. Ski meet in East. Chicago women in bowling contest. Giants in training. Arrival of *Queen Elizabeth* in New York.

PARAMOUNT NEWS, No. 55—Rescue patrol in Oregon ski area. Water ballet makes debut. 4-A track meet at Garden. Fire at New York airport. Eden inspects troops in Egypt. Dorothy Lamour judges Coral Gables beauty contest. Zog in exile. Children find refuge in Madeleine Carroll's French villa. Census takers ready. Gracie Allen is presidential candidate.

RKO PATHE NEWS, No. 67—Inspect new planes in California. Maginot Line activity. Madeleine Carroll donates chateau for French children. A.A.U. swim meet. British war minister at front. New machine for safety engineering. Hockey games in Sweden.

UNIVERSAL NEWSREEL, No. 856—Finland: Russian bombers downed; round up reindeer for clohting; broadcast propaganda at war front. *Ajax* and *Exeter* crews parade in England. Anzac troops in Egypt. New liner *Queen Elizabeth* arrives here. Train wreck in Mexico. Beauty parade in Miami. Baltimore lumber plant burns. Pennsylvania city sinks. Festival in Italy. Giants in training. Pursuit planes in mass flight on Coast.

Vitagraph Suit Settled

Settlement of a $37,500 infringement suit of Vitagraph, Inc., against Behrand Motion Picture Supply House, Inc., was revealed yesterday in N. Y. District Court. Vitagraph had charged the defendant with 150 infringements of advertising stills.

Operate on Stern

Charles Stern, Eastern division sales manager for United Artists, last night underwent an emergency operation at Park East Hospital.

'Wind' in 852 Cities

"Gone With the Wind" dates in the United States and Canada total 956 in 852 cities, including 22 set yesterday.

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"Sometimes, you're so righteous, Judy, I could cheerfully strangle you to death—only I love you too much."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)
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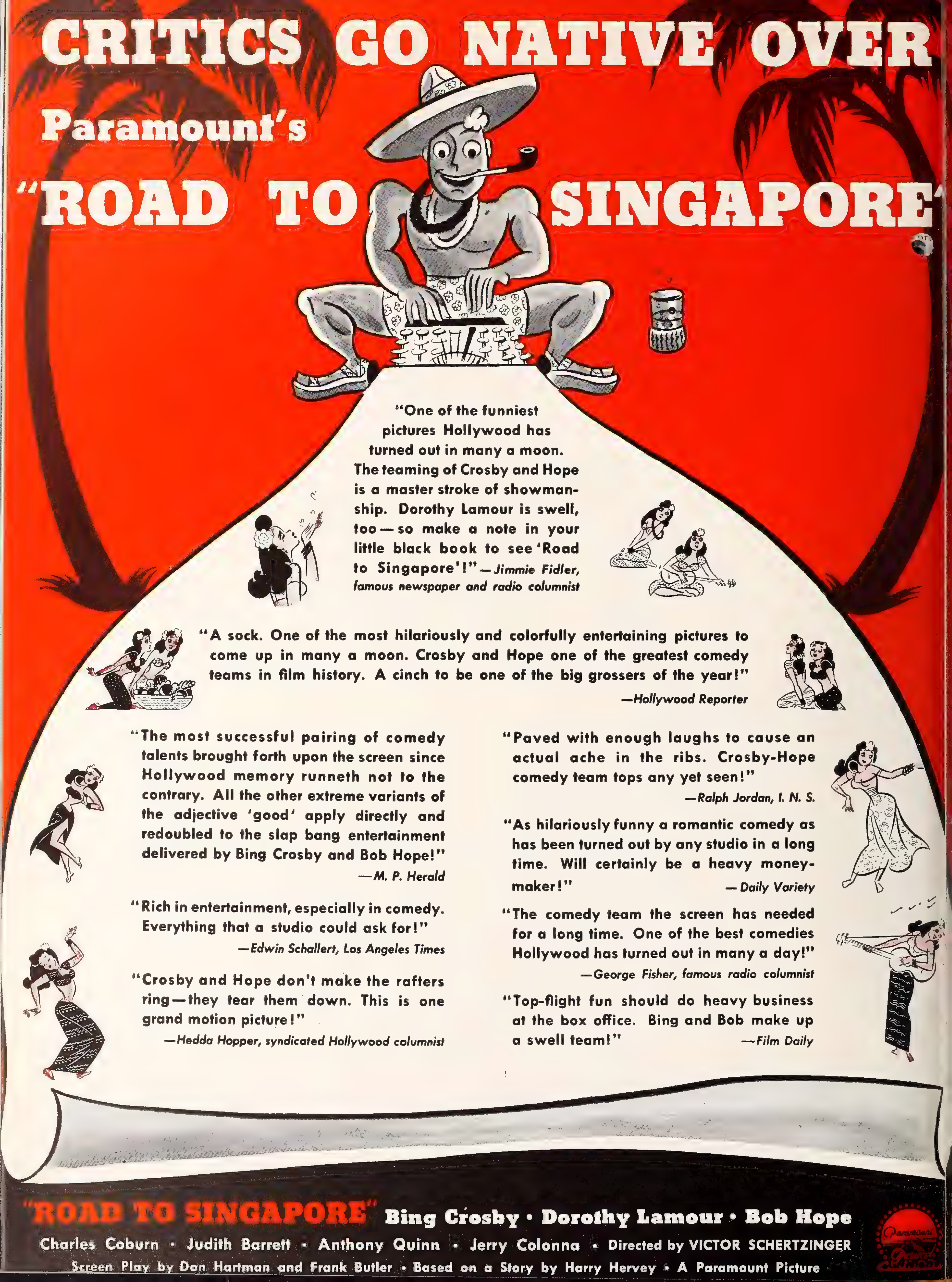
DR. COLONNA
we presume . . .
Take it from the critics . . . it's the coco-NUTS!
BING CROSBY
DOROTHY LAMOUR
BOB HOPE

over —



CRITICS GO NATIVE OVER

Paramount's

"ROAD TO SINGAPORE"

"One of the funniest pictures Hollywood has turned out in many a moon. The teaming of Crosby and Hope is a master stroke of showmanship. Dorothy Lamour is swell, too—so make a note in your little black book to see 'Road to Singapore'!"—*Jimmie Fidler, famous newspaper and radio columnist*

"A sock. One of the most hilariously and colorfully entertaining pictures to come up in many a moon. Crosby and Hope one of the greatest comedy teams in film history. A cinch to be one of the big grossers of the year!"

—*Hollywood Reporter*

"The most successful pairing of comedy talents brought forth upon the screen since Hollywood memory runneth not to the contrary. All the other extreme variants of the adjective 'good' apply directly and redoubled to the slap bang entertainment delivered by Bing Crosby and Bob Hope!"

—*M. P. Herald*

"Rich in entertainment, especially in comedy. Everything that a studio could ask for!"

—*Edwin Schallert, Los Angeles Times*

"Crosby and Hope don't make the rafters ring—they tear them down. This is one grand motion picture!"

—*Hedda Hopper, syndicated Hollywood columnist*

"Paved with enough laughs to cause an actual ache in the ribs. Crosby-Hope comedy team tops any yet seen!"

—*Ralph Jordan, I. N. S.*

"As hilariously funny a romantic comedy as has been turned out by any studio in a long time. Will certainly be a heavy money-maker!"

—*Daily Variety*

"The comedy team the screen has needed for a long time. One of the best comedies Hollywood has turned out in many a day!"

—*George Fisher, famous radio columnist*

"Top-flight fun should do heavy business at the box office. Bing and Bob make up a swell team!"

—*Film Daily*

"ROAD TO SINGAPORE" Bing Crosby · Dorothy Lamour · Bob Hope

Charles Coburn · Judith Barrett · Anthony Quinn · Jerry Colonna · Directed by VICTOR SCHERTZINGER

Screen Play by Don Hartman and Frank Butler · Based on a Story by Harry Hervey · A Paramount Picture

Odeon Free Shows Plea Facing Defeat

LONDON, March 7.—The London County Council, which governs theatre licensing, is expected to reject the application of Oscar Deutsch, head of the Odeon Circuit, for free shows for the armed forces on Sunday afternoon. The showings were planned for the Odeon in Leicester Square.

Exhibitors are greatly excited over the proposal, and have protested vigorously. Deutsch, in conversations with the Cinematograph Exhibitors Association, has said that he will not withdraw his application, but it is expected he will not apply again if his request is rejected.

Deutsch had questioned the claim that trade consultation should precede action on his application.

West End film houses which had to limit their audiences to 2,000 during the blackout hours, may now increase that number, provided no standing is allowed.

The removal of the restriction—direct result of conversations between the Home Office and a trade committee—leaves conditions of opening in the West End almost normal.

Sir William Brass has been appointed Chairman of the British Film Institute. He replaces Sir George Clark. Thelma Cazalet has been elected to take over Sir William's previous post as Board of Trade nominee on the governing board of the Institute.

Charge Clearance Illegal in Gary Suit

CHICAGO, March 7.—Charges that the clearance system affecting the Palace, Gary, Ill., is illegal were made at the opening here today in Federal court of the trust suit of the Gary Theatre Co. against Balaban & Katz, Warner Theatres and the major companies.

Attorneys for Warners and the majors denied the charge concerning the clearance system made by Albert Gavitt, representing V. U. Young, head of the Gary firm. Young asked relief from the allegedly illegal situation.

During the afternoon session, Young testified regarding past and present conditions in Gary. His testimony will continue tomorrow. Indications are that the trial, before Judge Holly, may require several weeks.

Settlement Reached In Dallas Trust Suit

(*Continued from page* 1)

take over Scott's River Oaks Theatre in suburban Houston, and the plaintiff will purchase a minority interest in six Interstate suburban theatres in North Dallas and will become manager of these houses.

The decree itself gives judgment to Interstate and awards costs to Scott.

The suit originated in a controversy involving the sale of Scott's Varsity, Dallas, to Interstate.

Yost Rites Today

Funeral services for William Yost, veteran exhibitor, who died on Monday in Miami, are to be held at 2 P. M. today at the Universal Chapel, 597 Lexington Ave. Burial follows at the Lutheran Cemetery.

Hollywood Review

"Shooting High"

(20th Century-Fox)

HOLLYWOOD, March 7.—As nice an exhibition of box-office opportunism as the trade has seen recently, the teaming of Gene Autry with Jane Withers in a film dedicated solely to the cause of amusement, this production is rich in novelty values and ripe for showmanly enterprise. On tap is the generally circulated report that Autry, although receiving more fan mail than other star, is not seen in the "A" theatres of the country, a report which, true or false, gives a showman a wide-open chance to shout to the customers, "Here's Gene Autry now!" Autry plus Withers, or vice versa, is a marquee total any show shopper can comprehend.

The story in which these stars appear is an airy nothing about the production of a western picture in a western town, the residents and the actors becoming embroiled in difficulties of this sort and that, mirthful for the most part, and the whole stopping now and again for Autry to sing a song, which he does most expertly and in a way entirely his own. Marjorie Weaver, Robert Lowery and Katharine Aldridge are among the numerous others present.

The production is by John Stone, direction by Alfred E. Green, and the screenplay, an original, by Lou Breslow and Owen Francis, all hands laboring for laughs and getting a load of them.

Running time, 65 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.*

Film Associates, New Company, Is Formed

Formation of Film Associates, Inc., to produce features and shorts in New York and on the Coast, was announced yesterday.

Directors of the company, who are also stockholders, are Felix Greene, American representative for British Broadcasting Co. and a former producer and director for that company; Gerald Heard, author; Aldous Huxley, author; Theodore Lawrence, former United Research Corp., engineer and sound technician for Paramount, 20th Century-Fox and United Artists; Irving Reis, formerly of Columbia Broadcasting System and writer for Paramount and 20th-Fox, and Henwar Rodakiewicz, former writer for Paramount and M-G-M, and with production experience in Mexico and New York.

H. William Fitelson is counsel for the new company. Headquarters are in this city.

Distribution arrangements for the new company have not been concluded. yet. First production is scheduled to start in a few weeks and will be a feature based on an original script by Joseph Krumgold depicting historic events between the last and present wars.

Kentucky House Passes Tax Slash

FRANKFORT, Ky., March 7.—The Kentucky House of Representatives yesterday passed by a vote of 74 to one a bill to lower the admission tax. Backed by the State Revenue Department, the measure would lower the tax on admissions over $1, and exempt from the tax dramatic productions presented in municipally owned parks for charitable, religious or civic purposes. The measure is expected to be sent to the State Senate in a few days.

Appeal '69th' Ban

Warners plan to appeal the ban on "The Fighting 69th" by the Commonwealth Film Censor in Australia. The home office has cabled Australia for details, including the reasons for the ban.

Seal Film in Crypt

Columbus, O., March 7.—When the 2,000-cubic foot Crypt of Civilization under the library of Oglethorpe University, Oglethorpe, Ga., is sealed in May, to be opened 6,000 years hence, it will include 10,000 feet of 16 mm. film of Ohio travelogues, in protective containers, depicting scenic, historical, industrial and agricultural highlights of Ohio.

Sign Union Contract For Buffalo Houses

BUFFALO, March 7.—A two-year collective bargaining contract for 200 cleaning women, matrons, porters and maintenance employes in all Shea theatres has been renewed by Buffalo Theatres, Inc., and the Theater and Amusement Employes' Union, according to Owen J. Kavanagh, business agent. The contract affects workers in three downtown and six neighborhood houses.

Two-year agreements also have been signed with Century Theatre Enterprises, Inc., covering employes in the Twentieth Century, downtown house, and with the Dipson-Basil circuit, for the Bailey. The last two named contracts, first ever negotiated, cover about 15 employes.

Plan Seattle Ball

SEATTLE, March 7.—A public "Movie Ball" will be staged here in April under the auspices of the Northwest Film Club, with Manager Joseph Cooper as chairman. The ball will take the place of the dance formerly sponsored each Fall by the M. P. T. O. W.

E. P. Hearing March 21

Referee John E. Joyce yesterday fixed March 21 at 11 A. M. for continued hearings on bankruptcy proceedings of Educational Pictures. Officers of the company will be examined at that time.

Philadelphia Gives $22,000 To 'Passage'

PHILADELPHIA, March 7.—"Northwest Passage" at the Stanley was a smash hit grossing $22,000. "Gone With the Wind," for its sixth week at the Boyd and Earle, held up well, grossing $56,100 at both houses. "Castle on the Hudson" and "Grapes of Wrath" drew $13,300 at the Fox.

Estimated takings for the week ending March 1:

"Swiss Family Robinson" (RKO)
"Dr. Ehrlich's Magic Bullet" (W. B.)
ALDINE — (1,700) (32c-42c-57c-68c) 4 days; 3 days. Gross: $9,700. (Average, $8,000)

"Of Mice and Men" (U. A.)
"Broadway Melody of 1940" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 2nd run, 5 days; 2nd run, 2 days. Gross: $3,400. (Average, $2,600)

"Gone With the Wind" (M-G-M)
BOYD—(2,400) (86c-$1.14-$1.71) 6th week, 7 days. Gross: $26,300. (Average, $13,000)

"Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 6th week, 7 days. Gross: $29,800. (Average, $14,000)

"Little Old New York" (20th-Fox)
"Castle on the Hudson" (W. B.)
KARLTON—(1,000) (32c-42c-57c-68c) 2nd run, 6 days; 2nd run, 1 day. Gross: $4,300. (Average, $3,000)

"Vigil in the Night" (U. A.)
"Swiss Family Robinson" (RKO)
KEITH'S—(2,200) (32c-42c-57c-68c) 2nd run, 6 days; 2nd run, 1 day. Gross: $3,800) (Average, $3,500)

"Castle on the Hudson" (W. B.)
"The Grapes of Wrath" (20th-Fox)
FOX — (3,000) (32c-42c-57c-68c) 7 days. Gross: $13,300. (Average, $13,000)

"Northwest Passage" (M-G-M)
STANLEY — (3,700) (32c-42c-57c-68c) 7 days. Gross: $22,000. (Average, $14,000)

"The Saint's Double Trouble" (RKO)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $4,200. (Average, $4,500)

New Pictures Start Good on Broadway

Two new films, "Vigil in the Night" at the Roxy, and "Three Cheers for the Irish" at the Strand, make their bows on Broadway today. "Too Many Husbands" at the Music Hall and "Northwest Passage" at the Capitol got off to good starts yesterday.

The second week of "Abe Lincoln in Illinois," with stage show at the Music Hall drew an estimated $60,000, while "The Blue Bird" with stage show at the Roxy also fared poorly with an estimated $25,000 for the week. At the Strand, "The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker's band on the stage, drew an estimated $39,000 for its second week. "Wolf of New York" opened yesterday at the Criterion.

Extend RKO Time

Federal Judge William Bondy yesterday granted a further extension to March 25 for filing of applications for final allowances in the RKO reorganization proceedings. Atlas Corp., proponent of the plan, obtained the additional time from March 15.

Newsreels of Liner

Arrival in New York yesterday of the British liner, *Queen Elizabeth*, attracted newsreel camermen representing the five companies. Special airplane coverage of the event was taken as well as shots by land and boat crews. Films were shipped to accounts separately as special releases.

Tips on Exploitation

'Book Month' Plugs Pictures from Novels

CLEVELAND, March 7.—In a tieup with book and department stores, Loew's State is plugging five-weeks' bookings as "The Book Month," using the slogan, "The Book of the Month Becomes the Picture of the Month." The book departments will feature the novels from which the coming pictures were taken.

The State is exploiting "Northwest Passage" with a reviewing contest. Seventeen prizes, with first prize $10, are offered to patrons for the best 150-word reviews.

Cigar Dealers Back 'Story of Dr. Ehrlich'

Dunhill's, New York tobacconist, has devoted an entire window of its Fifth Avenue store in Radio City to a display featuring Edward G. Robinson, star of Warners' "The Story of Dr. Ehrlich's Magic Bullet," currently at the New York Strand. The display is based on the fact that Dr. Ehrlich's cigar smoking plays an important part in the picture.

Colonel Roosevelt Addresses Ampa

Motion pictures are the reason many authors keep writing books, declared Col. Theodore Roosevelt, vice-president of Doubleday Doran, at the Ampa book luncheon yesterday at Dempsey's restaurant. A number of publishers' representatives, authors and literary agents were guests.

"Authors don't make much money out of books, as a rule," Col Roosevelt said. "The big revenue comes when they are sold for pictures."

Gilbert Seldes, chief of CBS television and author, announced the establishment of an annual award by publishers in cooperation with Ampa for the best film made from a recent book.

Among those at the speakers' table were Katherine Brown, story editor of Selznick International; Pascal Covici, Viking Press; Jerome Weidman, Simon & Schuster; Donald Klopfer, Random House; Annie Laurie Williams, literary agent. Joan Fontaine and Brian Aherne were introduced.

Studies Plagiarism Suit

Federal Judge Goddard yesterday refused to have presented before a jury the plagiarism suit of William Rapp and Lowell Brentano against Harold Lloyd and Harold Lloyd, Inc. Upon the request of Louis Nizer, attorney for the plaintiff, Judge Goddard consented to study both "Professor Beware," Lloyd film, and the Rapp and Brentano script of "Greek to You," which the defendants claimed was copied for the picture. Plaintiff claims total dissimilarity between both.

Short Subject on Liner

A short subject depicting the building and launching of the *Queen Elizabeth,* world's largest liner, was set for release yesterday by Columbia about the time the ship was being docked in New York following its secret run from England.

New York Review

"Wolf of New York"

(*Republic*)

There is action and pace in this melodramatic yarn of the criminal attorney who accepts the post of district attorney to clean up the city.

William McGann directed from a screenplay by Gordon Kahn and Lionel Houser and an original story by Arnold Belgard and Leslie T. White.

Edmund Lowe, criminal lawyer of note and thorn in the side of the district attorney, is called upon to defend a young friend, on parole, charged with a murder, which he did not commit. His previous reputation as a criminal lawyer causes the jury to doubt him, and as a result the boy is convicted. Immediately after the client is executed, his innocence is proved, the district attorney resigns, and Lowe is prevailed upon to take his place. Chief persuader is Rose Hobart, former secretary, whose father, an officer, was the victim of the murder.

Lowe takes on the job, cleans up the town, and uncovers the man behind most of the city's racketeering. James Stephenson, Jerome Cowan, William Demarest and Maurice Murphy have supporting roles.

Running time, 67 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

Fidler, Sullivan Refused Loop Theatre Bookings

By WILLIAM F. CROUCH

CHICAGO, March 7. — Chances of Jimmie Fidler and his troupe, now on a personal appearance tour, playing a local house, grew more remote this week when it was learned that theatre executives have determined not to book the act.

Ed Sullivan, another columnist who plans a tour with a group of Hollywood players, is also on the taboo list as far as a booking in local theatres is concerned. Sullivan has appeared here three times previously, twice at the RKO Palace and once at the B. & K. Chicago.

Balaban & Katz are completing an extensive remodeling of their screening room in the Chicago Theatre Building. The seating of the room has been increased from 30 to 50, new sound-proofing, projection equipment, rubber carpeting, new seats and other changes have been made.

Services were held here Monday for Mrs. Martin Barnett, 25, wife of the Paramount News cameraman, who died of a cerebral hemmorhage last

J. Nelson Katz of the B. & K. publicity department has been put in charge of suburban and neighborhood theatre advertising. Herbert Lyons takes his place as production manager.

Amkino Chief Plans New Russian Firm

Distribution of Russian films here will continue under a deal concluded yesterday by cable between Nicola Napoli, formerly general manager of Amkino Corp., and the Soviet motion picture committee in Moscow.

Napoli is forming a company to be known as Artkino Pictures, of which he will be the chief. Rosa Madell, also of Amkino, will be associated with him. Amkino recently was dissolved on orders from Moscow following a sharp drop in popularity of Russian pictures.

Bombs Sink Cameras

The war will delay the completion of Walter Wanger's film, "Personal History," for United Artists release. Complete camera equipment for the shooting of scenes in Holland went down when the Dutch freighter *Rijnstroom* was sunk in the English Channel by German planes on Monday.

Warner Club's Ball To Bring Out 1200

The eleventh annual Warner Club banquet and ball will be held at the Waldorf-Astoria Hotel tomorrow night. It is expected that nearly 1,200 persons will attend.

A large entertainment program has been prepared with Jan Savitt and his Top-Hatters providing the music.

The committee in charge consists of A. W. Schwalberg, chairman; Nat Fellman, president of the Warner Club; Max Blackman, Harry Mayer, Samuel Schneider, Jules Levey, Harold Rodner and Irving Birnbaum.

Vatican Reception Of Taylor Is Filmed

Pictures of the reception of Myron C. Taylor, President Roosevelt's emissary to Pope Pius XII, by the Pope—first films taken in the latter's private apartments—are en route here.

Archbishop Spellman of New York, to whom the films are being sent, will determine whether they will be shown generally, and if so, in what manner. The reel runs 550 feet. Conditions imposed by Vatican authorities prohibit insertion of the reel in any regular newsreel release and require that it be shown in full.

Radio Brevities

WMCA has two novel programs scheduled to start in the near future. The first will be a roundup of all dramatic criticism appearing in the New York papers. The published reviews will be condensed and edited by the station's news staff.

Idea behind the program is tha[illegible]e usual radio reviews of legitimate productions are broadcast after the final curtain falls and that this is too late for most listeners. In addition, it is felt that most listeners read only one or two reviews and would appreciate a complete survey of critical opinion. No starting date has been set, but it is planned for the current season.

The other show, the "Radio News Reel," will be heard Saturdays at 5:30 P. M., starting tomorrow. Mobile units, covering special events for stations in various parts of the country, will make recordings and the transcriptions will be edited in Hollywood and airmailed to WMCA.

Personalities in the News

Arturo Toscanini resumes his post as conductor of the NBC Symphony Saturday, March 16, at 10 P. M. over NBC-Blue, after his customary mid-season leave since Dec. 2. . . . Joseph H. Steele, film writer, has written a script for the Kate Smith show over CBS tonight at 8 P. M. . . . Ern Westmore, Hollywood beautician, will start a daily program over WMCA on Monday at 11:45 A. M. . . . Evelyn Brent and Francis X. Bushman will be heard on Mutual's "Fifth Row Center" on Sunday at 6 P. M. . . . Harlan Thompson, Paramount producer, will be guest of David Lowe, film commentator at WNEW, today at 12:30 *P. M.*

Radio Covers Liners' Arrival

WOR was the first radio station on the air with a description of the *Queen Elizabeth.* Dave Driscoll, director of special events, flew over Long Island in an Eastern Air Lines plane and located the boat at 7:15 A. M. He described the sight in a two-way conversation with John Gambling, who was on the air with his "Musical Clock" at the time.

Later, Driscoll told of the view from the Whitehall building, and, in the afternoon, Al Josephy, his assistant, described the docking of the ship at the 49th St. pier. WHN also carried the pier activities, while the other stations went on the air during the course of the day.

Father of Weinberg, Col. Executive, Dies

Phillip Weinberg, father of Lou Weinberg, Columbia sales executive, died at his home here yesterday following a long illness.

Services will be held Sunday at 10 A. M. at Riverside Memorial Chapel. Burial will be at Beth-El Cemetery.

In addition to the son, the deceased is survived by five daughters, Mrs. Celia Picker, Mrs. Hannah Goldstein, Mrs. Nettie Lowenberg, Mrs. Eva Goldfield, all of New York, and Mrs. Lillian Langley of California.

LEO CONFUCIUS SAY:

"Don't be sap!
Hold-over 'NORTHWEST PASSAGE' and get plenty mazumeh!*

"Take tip from smart fellas who hold-over 'NORTHWEST PASSAGE' in

CHICAGO
MINNEAPOLIS
PORTLAND
BOSTON *(State & Orpheum Day and Date!)*
SPOKANE
ST. PAUL
SEATTLE
HARRISBURG
NEW HAVEN
SAN FRANCISCO
WORCESTER
BRIDGEPORT
PHILADELPHIA
More coming!"

---

*Chinese for money

UNIVERSAL DOUBLES

BORIS
KARLOFF
LUGOSI
BELA

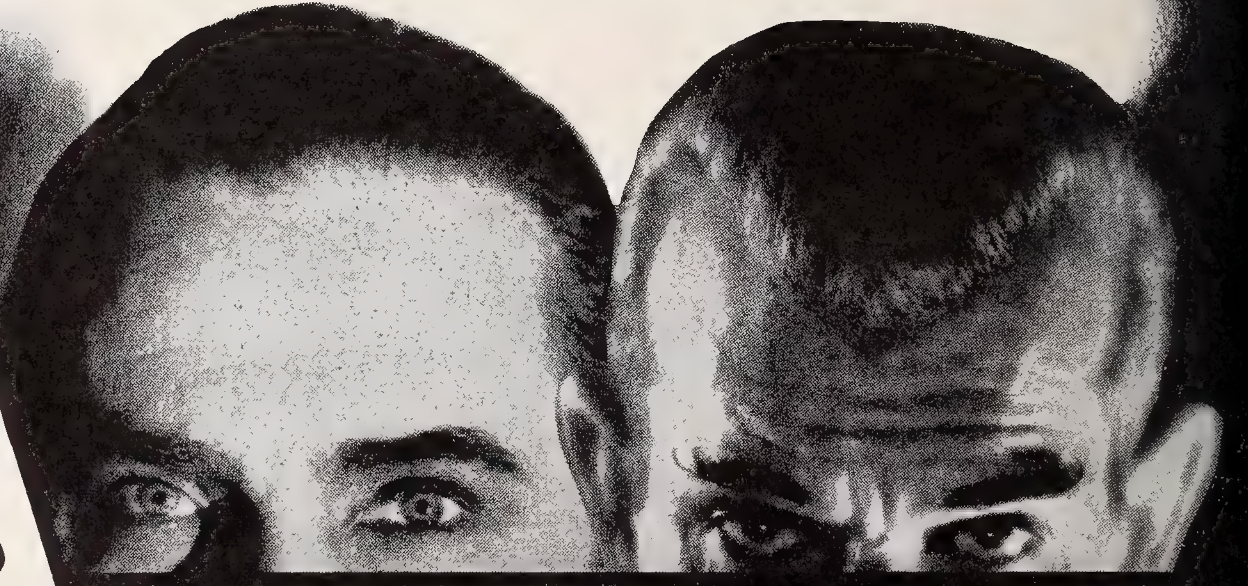
BLACK FRIDAY

with STANLEY RIDGES, Anne NAGEL, Anne GWYNNE,
James CRAIG

Associate Producer: BURT KELLY
Directed by ARTHUR LUBIN

A WOW REPORT FROM CHICAGO!

... Palace Theatre opens Universal's "Black Friday" and "The House of the Seven Gables" to greatest week-end gross of the season!



A BOX-OF

AGAIN and EACH IS A HIT by ITSELF!

Nathaniel Hawthorne's

The HOUSE OF *The* SEVEN GABLES

with

GEORGE SANDERS · MARGARET LINDSAY · VINCENT PRICE
NAN GREY · DICK FORAN

DIRECTED BY JOE MAY
Associate Producer: BURT KELLY

PRINTS NOW READY!

FICE NATURAL $$$

By **LOUELLA O. PARSONS,**

Motion Picture Editor International News Service.

Let's give a great big cheer for Edward Small, an independent producer who has made one of the finest pictures of the year in "My Son, My Son." Howard Spring's novel, best seller of last year, makes us realize again what a fine actor Brian Aherne is; that Louis Hayward did not win the award for the best acting on the stage in New York a few years ago, without deserving it; that Laraine Day has a great dramatic future and that Henry Hull continues to be one of the movies' most valuable actors.

I don't know when I've seen a picture that has gripped me as much and held my complete and unswerving interest. The picture had the effect that an interesting novel gives—a wish to see even more.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V. 47. NO. 49 NEW YORK, U. S. A., MONDAY, MARCH 11, 1940 TEN CENTS

2-Year Trial Of Trust Suit Called Likely

U. S. Attorneys Examine Gradwell Sears Today

Trial of the Government's New York anti-trust suit will last at least two years, according to Federal Court attaches responsible for calendar assignments.

In discussions preceding the designation of Federal Judge Henry W. Goddard as trial judge, it was said, clerks experienced in the trial of previous anti-trust suits estimated that a multiplicity of defendants in the film suit would prolong the court battle well past two years.

Court attaches have pointed out that trial of the anti-trust suit against companies in the aluminum industry before Judge Francis G. Caffey has continued for 18 months already. The aluminum case, moreover, presents considerably simpler issues and comparatively few defendants, it was declared.

Many Complex Problems

Attorneys for the Government, on the other hand, are faced with a difficult and necessarily prolonged problem of presenting the complex, country-wide situation in the industry to Judge Goddard.

In submitting evidence, the Government must cover the production, distribution and exhibition fields of the industry and must prove its allegations of coercion and monopoly in hundreds of instances scattered over the entire country.

This view of the situation held by court clerks is strikingly borne out by the Government's list of prospective witnesses filed last Wednesday. Over 500 witnesses were identified

(*Continued on page 2*)

50 Film Stars Going To 'Virginia City'

Warners will play host to 50 Hollywood stars, and 150 correspondents, columnists and radio celebrities at the world premiere of "Virginia City" at Reno and Virginia City, Neb., next Saturday.

A 16-car train will leave Hollywood on Friday, being met by three more cars bearing Eastern and Midwestern correspondents, at Truckee, Cal. Two cars will be decorated to simulate the old Crystal Bar of Virginia City in the gold rush days. The train will serve as hotel for the guests during the stay in the Nevada town.

En route to Nevada the train will

(*Continued on page 2*)

Republic's Gross Shows 7½% Boost Despite War Loss

Gross income of Republic Pictures Corp. in 1939 was approximately $7,960,000, an increase of 7½ per cent over 1938, despite curtailed revenue from Great Britain and elsewhere in Europe. The 1938 gross was $7,373,972.

This is reported to Consolidated Film Industries stockholders in the annual report of Herbert J. Yates, president. The report shows net income for Consolidated in 1939 of $628,297, compared with $616,696 in 1938.

With respect to Republic, the report says Consolidated's investment in the subsidiary is the same as made in 1937 and that it is continuing the financing and production of Republic pictures "from which this company derives, and which enables it to maintain, a large volume of laboratory work and accessories."

Yates in his report states that 1939 showed "further progress and expansion in the organization and business of Republic," and that continued growth is anticipated.

The annual meeting of Consolidated

(*Continued on page 3*)

Seek Settlement Of Warner Strike

Miami, March 10.—Possible settlement of the controversy in Philadelphia between the musicians' union and Warner theatres is being discussed here with Joseph N. Weber, president, American Federation of Musicians.

Here for the conferences are Frank Phelps of Warners and Anthony Luizzi and Rex Riccardi, president and secretary, respectively, of the Philadelphia local.

Officials of the local have been seeking action by the national Federation against Warners in an effort to bring the three-months-old controvery to a head.

Ascap Hears Radio Report This Week

A final report on Ascap's new contracts with radio broadcasters may be completed at the next meeting of the society's radio committee, to be called within the next few days. A special meeting of the Ascap board will be called to consider the report as soon as it has been completed.

The radio committee failed to complete its recommendations at a meeting held late last week and there is still a possibility of a minority report developing at the final meeting due to marked differences of views within the committee.

200 Philly Theatres Close Good Friday

Philadelphia, March 10.—About 200 theatres in Philadelphia and suburban areas will close on Good Friday, March 22, for all or part of the day, it was announced by the Citizens' Good Friday Observance Committee. None of the center-city theatres will close.

SEC Report Shows Film Stock Changes

Washington, March 10.—Disposition of 2,800 Universal Corp. common voting trust certificates by William Frieday, director, reducing his holdings to 100, and receipt of 10,000 common voting trust certificate warrants by Nathan J. Blumberg, president, under an employment agreement, were the largest transactions of film company officers and directors in the securities of their corporations reported over the weekend in the first January summary of the Securities and Exchange Commission.

Included in the summary were a half-dozen other transactions, all of them relatively small, among them the acquisition of 100 shares of General Theatres Equipment common stock by Robert L. Clarkson, director, representing his total holdings; the disposition, by gift, of 500 shares of Keith-Albee-Orpheum convertible

(*Continued on page 3*)

Sponsor May Cancel Fidler's Broadcasts

Chicago, March 10.—Continuation of Jimmie Fidler's Hollywood broadcasts under the sponsorship of Procter & Gamble on behalf of Drene shampoo is reported as doubtful here. Reports are that he will go off the air April 23. Results of the Drene contest starting this week may determine whether Fidler's option will be picked up Action on Fidler's program is scheduled this week by H. W. Kastor & Sons agency which handles the account.

Bioff to Learn Fate In Chicago Friday

Chicago, March 10.—Chief Justice Prystalski of Criminal Court, after taking under advisement the case of William Bioff, I.A.T.S.E. leader, gave him permission to go to California. Bioff must be back here on Friday when Judge Prystalski will announce his decision. Bioff was extradited from the Coast on a charge of never having finished a Chicago jail sentence in 1922.

Bioff to Coast As Wage Fight Nears Parley

Studios Deny Abandoning 10% Increase Battle

Hollywood, March 10.—Both the producers and the studio unions, embroiled in the controversy over the 10 per cent wage increase, moved closer into sparring positions over the weekend as indications appeared that they were ready to resume negotiations on the matter.

Declaring that it had not received a letter from the producers, the Conference of American Federation of Labor Studio Unions, through its vice-president, J. W. Buzzell, announced that it was "assuming" that by the producers' silence that they were dropping the request for revocation of the wage increase.

Y. Frank Freeman, chairman of the producers' committee, immediately answered the "assumption" by informing Motion Picture Daily:

"The unions are at perfect liberty to make any assumptions they wish, but nothing has been abandoned."

This was interpreted to mean that the producers will press their fight with the unions over the 10 per cent wage boost.

The A. F. of L. Conference dispatched a letter to Freeman, demanding an early meeting to discuss revisions of working conditions and the awarding of bargaining contracts to several locals not as yet recognized by the producers.

This letter was prepared following a telephone conversation between Buzzell and William Bioff, I.A.T.S.E. leader, in Chicago, where Bioff had a Friday hearing on a 1922 unfinished jail sentence.

Bioff was granted the court's permission to go to the Coast until next

(*Continued on page 3*)

Re-Election of All 'U' Directors Expected

All directors of Universal Pictures Co., Inc., are slated for re-election at the annual meeting of the company's stockholders to be held Friday in Wilmington, Del.

Proposals for a plan of recapitalization for Universal, several of which have been under consideration during the past few months, are still undetermined and no plan will be in readiness for discussion at the stockholders' meeting. However, the general purposes and aims of the recapitalization probably will be outlined at the meeting.

2-Year Trust Trial Looms as Certain

(*Continued from page* 1)

and the Government detailed several hundred instances of alleged coercion.

The Government will spare no expense to present these instances to the court, and, in doing so, will place hundreds of witnesses on the stand, it is understood. Added to this time-spending maneuver will be protracted cross-examination by the defense and the testimony of dozens of film executives in rebuttal.

Lengthy pre-trial examinations of company officials will continue until the opening of trial on May 1. A substantial part of this testimony will be read to Judge Goddard by opposing counsel some time during the trial.

Since the filing of the suit on July 21, 1938, both Government attorneys and investigators and those of the defendants have been actively preparing for trial. Results of this preliminary work will be the evidence submitted to Judge Goddard.

Application of Columbia for Government answers to its separate interrogatories will be heard on March 18 at 4 P. M. unless, in the interim, Columbia is satisfied that the consolidated answers are sufficiently informative.

Gradwell L. Sears, vice-president of Warner Brothers in charge of sales, will be questioned today by Special Assistant Attorney General Robert L. Wright in a pre-trial examination.

50 Film Stars Going To 'Virginia City'

(*Continued from page* 1)

make six 15-minute stops. Another train of 15 cars will leave San Francisco on Friday, stopping en route at Salt Lake City and Omaha. Two cars from New York will leave on Wednesday.

The Hollywood star contingent will be headed by Errol Flynn, Miriam Hopkins, Randolph Scott and Humphrey Bogart, of the film's cast.

With them are listed Eddie Cantor, James Cagney, Pat O'Brien, Bette Davis, Ann Sheridan, Jean Parker, Priscilla Lane, Rosemary Lane, May Robson, Tom Mix, George Raft, Ralph Bellamy, Fay Wray, Basil Rathbone, Fred Stone, Wayne Morris and Warren William.

Also Spencer Tracy, Edward G. Robinson, Buck Jones, Binnie Barnes, Eddie Albert, Ronald Reagan, Jane Wyman, Lucille Fairbanks, Jeffrey Lynn, Brenda Marshall, Merle Oberon, Clark Gable, Carole Lombard, Dorothy Lamour, Bob Hope, Mickey Rooney, Judy Garland, Don Ameche, Tyrone Power, Alice Faye, Alan Hale, Marilyn Merick and Dennis Morgan.

Rare old handbills will be auctioned off at the "Virginia City" opening in Reno, the proceeds going to the fund for the Metropolitan Opera Company.

Club Collects $22,000

PHILADELPHIA, March 10.—The Philadelphia Variety Club has turned over $22,000 to the President Roosevelt Infantile Paralysis Fund, the money collected in the March of Dimes sponsored by the club here.

◂ Purely Personal ▸

GEORGE J. SCHAEFER, RKO president, will leave for a two weeks' vacation in Florida within the next few days.

•

BENJAMIN MIGGINS, Continental European manager for 20th Century-Fox, has returned from a Florida vacation. He plans to sail for Europe in two weeks.

•

MALCOLM KINGSBERG, K-A-O vice-president, has returned from a Florida vacation. LEON GOLDBERG, K-A-O treasurer, is expected from Florida tomorrow.

•

LOUIS DAVIDSON has been assigned as Chicago exploitation representative for RKO by Terry Turner, exploitation manager.

•

EDWIN P. KILROE, copyright attorney for 20th Century-Fox, is recovering from pneumonia at Lenox Hill Hospital.

•

JOE HOLTON, 20th Century-Fox talent scout, has returned from Chicago where he conducted a talent contest.

•

MATTHEW J. FOX, Universal vice-president, will arrive from the Coast this morning.

•

JOSEPH M. SCHENCK, 20th Century-Fox board chairman, has returned from Miami.

•

MICHAEL G. POLLER, head of RKO's playdate approval department, left Saturday for a two-week vacation in Miami.

•

DAVID L. LOEW arrives in Hollywood today following a brief visit in New York.

•

TOM DONALDSON, M-G-M manager in New Haven, observes a birthday today.

Stage Set for Bingo Pennsylvania Test

LANCASTER, Pa., March 10.—A test case to determine the status of Bingo in Lancaster County was rushed toward court action when county detectives arrested operators of games arranged for that specific purpose at Mountville and Ironville.

The games were arranged as benefits for the Neffsville fire company. Representatives of county fire companies and other persons interested in conducting Bingo decided to hold the games in order that a test case might be taken into the March term of Criminal Court. District Attorney Shirk promised an early trial if a test case was arranged.

Releasing Czech Film

Edgar E. Lloyd plans national release shortly of "The Maidens' Guild of Kutna Hora," Czechoslovakian historical film. The film was completed shortly before the invasion of Czechoslovakian Republic by Germany. English titles are being prepared for the American release.

Adapting Morley Novel

HOLLYWOOD, March 10.—Donald Ogden Stewart has been signed by RKO to adapt Christopher Morley's novel, "Kitty Foyle."

CHARLES STERN, Eastern division sales manager for United Artists, who underwent an emergency operation for a kidney ailment last week, is recovering and is expected to leave the Park East Hospital within a week.

•

CHARLES E. STAPLES, JR., projectionist at the Queen Theatre, St. Stephen, N. B., was married in London recently to EILEEN KELLY, Canadian girl, and returned immediately to his post as a bombing pilot in France.

•

MAURICE KALLIS, art director for the Paramount account at the Buchanan advertising agency, has two paintings on display at the fifth annual group showing of American artists at the Montross Gallery.

•

HARRY F. SHAW, Loew-Poli division manager in New Haven, has left with MRS. SHAW for a vacation in California and Mexico.

•

SCOTT MARTIN with the Paramount theatre in South Bend, Ind., is the father of a boy, James, weighing seven and one-half pounds, born to MRS. MARTIN last week.

•

HARRY TURBERG, co-manager of the Palace, Northio house at Hamilton, O., is on vacation in Martinsville, Ind.

•

HERBERT WILCOX, RKO producer, is due today from the Coast on a brief business trip.

Union Fighting Use Of School for Films

MANITOWOC, Wis., March 10.—Local No. 410 of the operators' union here has protested to the Board of Education against the use of the high school auditorium gratis by various organizations for community welfare film programs which compete with local theatres.

The board indicated that in the future it would charge the full rental fee for the use of the auditorium and follow the suggestion that licensed stage technicians and projectionists be employed for programs requiring them.

Columbia Prizes Set For Division Heads

Special awards to division managers are being added by Columbia to the prize lists previously announced for the Montague 15th anniversary drive which will end May 10.

The new awards will be made to the two division managers whose territories show the greatest improvement in billings during the eight weeks ending April 26. Improvements will be judged on the basis of quotas for each division based on their average weekly billings from July 15, 1937, to June 30, 1939.

Testify in Gary Suit

CHICAGO, March 10.—V. U. Young and Clyde Winans, Gary, Ind., exhibitors, testified today in the suit of the Gary Theatre Circuit against Balaban & Katz, Warner Theatres and the major companies. The two testified concerning film deals made with major companies for the Palace Theatre in Gary.

Sets 'King' 13th Time As Good Friday Film

Philadelphia, March 10.—For the 13th successive year, the Four Paws Theatre, a grind house in the tenderloin section, will play "King of Kings" on Good Friday. The house reserves the film for each succeeding year.

Heads Distribution Of 'Finland Fights'

Martin J. Mullin of Mullin & Pinanski circuit, Boston, has been appointed to direct the distribution of "Finland Fights!" film made for the Finnish Relief Fund, in the Massachusetts territory.

Clyde W. Eckhardt, 20th Century-Fox manager in Chicago, will supervise the film's distribution to theatres in the Chicago territory.

A total of 575 prints of the picture has been booked solid for a month in theatres throughout the country, states Jack Connolly of the Finnish Relief Fund. Reports on theatre collections are being received.

Frank Muto, who covered the Finnish hostilities as photographer for International News Service, is now attached to the Finnish Relief Fund organization in Helsinki. He is a brother of Anthony Muto, Movietone News representative in Washington.

Harry Gold Returns From Coast Parleys

Harry Gold, Eastern general sales manager of United Artists, returned yesterday from the Coast studio. He stopped off at several key city exchanges on his way East.

Gold was in Hollywood for several weeks, engaged in studio conferences with Murray Silverstone, operating head of the company, other executives and United Artists producers. Silverstone remained on the Coast.

Loses Balaban Plea

The Appellate Division of the N. Y. Supreme Court Friday denied an application of Benjamin Roman for an order directing Barney Balaban, president of Paramount Pictures, to testify before trial. Decision upheld lower court ruling in Roman's $250,000 damage suit against Paramount for alleged violation of a contract which gave Roman reissue rights to "Morocco" and "The Spoilers."

MOTION PICTURE
DAILY
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Bioff Flies to Coast; Wage Parley Nears

(Continued from page 1)

Friday when Judge Prystalski will announce his decision in the case. Bioff flew here for important meetings with union officials on the wage issue.

Pat Casey, chief labor contact officer for the producers, arrived here yesterday from New York, apparently [illegible] discuss latest developments with [illegible]dio heads.

Buzzell's letter to Freeman asked for a meeting of union and producer negotiating committees "for the purpose of opening negotiations and laying the groundwork for a discussion of these various subjects."

Revisions of working conditions, according to union leaders, are aimed at a spread of work among more men, establishment of overtime pay scales, increase of the number of men per shift, changes in the number of crews sent on location, etc.

Freeman, in discussing the Buzzell letter said:

"When I receive that communication I shall present it to our committee and we cannot, of course, at this time know what our answer will be. We shall have to wait until we can get further data and information, which is why the last discussions were continued."

In the event that the unions and studios fail to reach an agreement on the 10 per cent wage increase, the matter will be submitted to the American Society of Arbitration for settlement, according to a contract which both parties signed last Nov. 25 when the boost was allowed.

Kane Leaves Coast, Returning to England

HOLLYWOOD, March 10. — Robert Kane left today for New York, enroute to England after six weeks of conferences at the Twentieth Century-Fox studios. As to production over there, Kane said: "We've never stopped." Recently finished was "The Girl Is News," while "Gestapo," dealing with Nazi secret police, is just being completed. Now in work are "Tramp Steamer," "Rob Roy" and "Hangman's House."

Rubin Again Heads Greater N. Y. Drive

J. Robert Rubin, vice-president and general counsel of Loew's, Inc., for the third consecutive year will serve as chairman of the motion picture division of the Greater New York Fund drive, which starts April 1.

Spyros Skouras, president of National Theatres Amusement Co., will head a new entertainment division, including legitimate theatres, agents and miscellaneous groups. Niles Trammell, executive vice-president of NBC, will be chairman of the radio section.

The Fund is planning a more extensive drive in the amusement fields. The appeal, which is on behalf of 393 voluntary social welfare and health agencies, will be directed to business firms, corporations and employees.

First Academy Print

HOLLYWOOD, March 10.—Lee Garmes left today for New York with a print of "Beyond Tomorrow" for RKO. It is the first film made by Academy Productions, of which Garmes is president. He will discuss other stories with RKO officials there.

Hollywood Review

"Three Cheers for the Irish"

(Warner Brothers)

HOLLYWOOD, March 10.—That staple old stage character of memorable entertainment usefulness, the Irish policeman, here serves show business again as source of sustained amusement which kept a preview audience laughing contentedly throughout its entire length. Thomas Mitchell as the policeman gives another of his standout performances in such excellent cast company as Priscille Lane, Alan Hale, Dennis Morgan, Frank Jenks, Virginia Grey, Henry Armetta, Irene Hervey, William Lundigan and J. M. Kerrigan.

New York is the scene of the story, an original by Richard Macaulay and Jerry Wald, wherein Mitchell plays the policeman father of three grown girls. He is retired on pension after 25 years on the force and, restive, runs for election as alderman. Developments, mainly humorous, arise from his daughters' romantic affiliations, his rookie successor's wooing of one of them, and from his robust campaign manager's mainly muscular pursuit of votes. A few serious moments are usefully included.

Samuel Bischoff served Hal B. Wallis as executive producer and Lloyd Bacon directed with an eye to extracting maximum results from characterization, contrasting dialects and situations.

Running time, 98 minutes. "G." ROSCOE WILLIAMS

**"G" denotes general classification.*

SEC Report Shows Film Stock Changes

(Continued from page 1)

preferred by Michael J. Meehan, New York, beneficial owner, reducing his interest to 26,004 shares, and the disposition by gift of 100 shares of Loew's, Inc., common stock by J. Robert Rubin, vice-president, reducing his holdings to 29,918 shares.

Other transactions were the acquisition of three shares of Pathe Film common stock by Thomas P. Loach, treasurer, giving him a total of 16 shares; the acquisition as compensation of 500 shares of Trans-Lux Corp. common stock by Leslie E. Thompson, president, giving him 4,500 shares; and the disposition of 300 shares of Twentieth Century-Fox common stock by Sidney R. Kent, president, reducing his interest to 3,155 shares.

A report on Columbia Broadcasting System showed the disposition by gift of 506 shares of Class A and 15 shares of Class B stock by Isaac D. Levy, Philadelphia, director, reducing his holdings to 61,475 shares of the former and 22,819 shares of the latter, and disposition, also by gift, of 170 shares of Class B stock by Leon Levy, Philadelphia, director, reducing his holdings in that class to 42,932 shares.

Net Operating Loss By Paramount Corp.

Net operating loss of $231,527.69 is reported by the Paramount Broadway Corp. for the year ended Dec. 31, 1939. The company owns the Paramount Theatre and office building on Broadway.

Income from operations was $969,856 during the year. Income from several tenants is determined by the gross receipts of the tenant. Cash on hand Dec. 31 last totaled $38,080 and accrued liabilities $90,527. The property and equipment is carried at $10,949,885.

Paramount's total deficit as of December 31, 1939, was reported as $756,689.

Chief Censor of Pa. To Fight Neely Bill

Philadelphia, March 10.—Mrs. Edna R. Carroll, head of the Pennsylvania censor board, said she would go before women's clubs and parent-teachers association to speak against the Neely Bill. Recently returned from a trip to Hollywood, Mrs. Carroll said she is convinced more than ever that the industry can well manage its own affairs without Government interference. She said that the groups are being misled when told by proponents of the bill that the elimination of block booking will make for better pictures.

Slot Films Denied Being Competition

CHICAGO, March 10.—James Roosevelt, in a talk Friday before the Headline Club, declared that the automatic projection machines for which he plans to provides shorts of three to five minutes, will not compete with theatres. Money taken in, he said, would cut into present phonograph receipts rather than film revenue.

He said that the machines eventually would aid theatres, in showing trailers of theatre attractions, if exhibitors were interested in making tieups.

'Information Please' Decision Reserved

Trial of a suit to restrain use of the title, "Information Please" by the Information Publication Corp., Shelley Braverman, Walter Rosett, Peter B. Payne and Stanley S. Boressoff ended in the N. Y. Supreme Court Friday when Justice Carroll G. Walters reserved decision.

Daniel and Ann Golenpaul, owners of the radio program, as plaintiffs charged infringement in a magazine of the same title published by the defendants.

Republic's Gross Shows 7½% Boost

(Continued from page 1)

stockholders will be held March 28.

Consolidated's 1939 earnings are equivalent to $1.57 a share on 400,000 shares of preferred stock outstanding, compared with $1.54 a share in 1938 on the same number of shares.

Consolidated had net sales of $7,409,452 in 1939 and $8,799,875 in 1938. The latter figure included sales of American Record Corp., a subsidiary, the stock of which was sold to CBS in December, 1938. Net sales in 1939 were approximately $500,000 more than the sales of the company and the same subsidiaries, excluding American Record, the year before.

Net Income Increases

Net income, before Federal income taxes, for 1939, was $758,297, compared with $731,696 for 1938, despite a substantial increase in labor costs last year, the report states.

Current assets on Dec. 31, last, amounted to $5,973,226, including $461,897 cash, and current liabilities were $1,790,233, compared with current assets of $5,076,657, with cash of $368,908 and current liabilities of $1,235,989 on Dec. 31, 1938.

Arrearages on the 400,000 shares of $2 cumulative preferred stock are $3,200,000, equal to $8 a share.

Warner Chiefs Lead 1,200 at Club Dance

About 1,200 persons attended the 11th annual Warner Club dinner and ball in the grand ballroom of the Waldorf-Astoria Saturday night.

Among those present were John J. O'Connor, general manager of RKO theatres; Leon Netter, Paramount theatres executives; and Warner officials including Samuel Schneider, Gradwell L. Sears, Carl Leserman, Mort Blumenstock, Harold Rodner, A. W. Schwalberg, Jules Levey, Ben Kalmenson, Roy T. Haines, Arthur Sachson, Mitchell Rawson, Clayton Bond and Eddie Schnitzer.

There was an elaborate program, including talent provided by the Radio City Music Hall, Roxy and Strand theatres. Jan Savitt and his Top-Hatters provided the music. Schwalberg was general chairman of the affair.

Monogram to Start New Sales Campaign

Monogram plans a new sales drive, known as "Spirit of Independence," which will run from March 30 to July 6, according to Edward A. Golden, general sales manager.

The company's 30 exchanges have been divided into American and National Leagues, each team consisting of four teams. Money awards will be made for ranking positions.

Thomas W. Yates Dies

Thomas W. Yates, 67, supervisor of the real estate and insurance department of Consolidated Film Industries, Inc., died Thursday at his home in Englewood, N. J. Yates, a brother of Herbert J. Yates, president of Consolidated, had been ill for some time. Survivors include the widow, Harriet J.; a daughter, Kathryn Yates Beard; a son, Thomas W., Jr., and three brothers. Funeral services were held at the home yesterday.

MANY, MANY HAPPY RETURNS

"As funny as THE AWFUL TRUTH! Should clean up at box-office!"
—*NORTH AMERICAN NEWSPAPER ALLIANCE*

"Faultless acting by that ingratiating screen triumvirate, Jean Arthur, Fred MacMurray and Melvyn Douglas!"
—*N. Y. HERALD-TRIB.*

"One of best laugh-getters of many a movie season! Ruggles squeezed every ounce of giggle material out of a script well loaded with laughs!"
—*LOS ANGELES HERALD-EXPRESS*

"Highly amusing... merry pace!"
—*VARIETY*

WESLEY RUGGLES'
Too Many Husbands
starring Jean ARTHUR
Fred MacMURRAY ★ Melvyn DOUGLAS

Directed by WESLEY RUGGLES • Screen play by CLAUDE BINYON
Based on the play by W. SOMERSET MAUGHAM • A COLUMBIA PICTURE

FOR "TOO MANY HUSBANDS"!

"If you want to laugh, TOO MANY HUSBANDS is the picture to see, for it's very funny! Excellent direction for which Ruggles is famous. Jean Arthur really turned glamour girl!"
—*LOUELLA PARSONS*

"Will stack up with funniest pictures of 1940!"
—*UNITED PRESS*

"Audience picture that is certain to click!"
—*ST. LOUIS POST-DISPATCH*

...and at

RADIO CITY MUSIC HALL

"Giggle provoker from beginning to end!" —*N. Y. DAILY NEWS*

"Gayest, sprightliest comedy of season. Grand entertainment!" —*N. Y. DAILY MIRROR*

"Thoroughly amusing...romping along at lively clip!" —*N. Y. JOURNAL & AMERICAN*

"Mr. Ruggles directs with rare manipulative foresight!" —*N. Y. TIMES*

"Acting positively superb!" —*N. Y. POST*

"Plenty of laughs!" —*N. Y. WORLD-TELEGRAM*

"Light-hearted affair of the type too long lacking on Broadway!" —*N. Y. SUN*

"Very likely will go out and make a million dollars!" —*LOS ANGELES DAILY & EVE. NEWS*

"Miss Arthur's new vehicle box-office hit!"
—*HOLLYWOOD CITIZEN-NEWS*

"Very, very funny comedy. No more entertaining picture has been made this year!" —*HEDDA HOPPER*

"Another winner for Columbia and another box-office hit!"
— *SHOWMEN'S TRADE REVIEW*

"Brilliant and sophisticated! Well qualified to keep all audiences uproariously entertained for its entire length!"
— *BOXOFFICE*

COLUMBIA PICTURES

GENERAL RELEASE
MARCH 21

Theatre and Personnel Notes

Reopens Columbus Theatre

COLUMBUS, O., March 10.—Fred M. Rowlands, owner of the Parsons, Columbia and Main, neighborhoods, who took a 10-year lease on the 480-seat Hollywood, also a neighborhood spot, has reopened the house after completely remodeling it and installing an air-conditioning system. Policy will be on a grind basis at 10 and 15 cents.

Takes Over Two in Ohio

IRONTON, O., March 10.—Mrs. Fon Sexton has taken over the 500-seat Lyric and 660-seat Marlowe here from Joseph Stern, former operator. Mrs. Sexton also operates the local Grand, and the Alfon and Lyric, at Ashland, Ky.

Blowitz in Pittsburgh

PITTSBURGH, March 10.—Joseph Blowitz, formerly manager of the Warner in Steubenville, Ohio, has been shifted back to his former post as manager of the Manor here.

Rubel Quits Pioneer

MINNEAPOLIS, March 10.—Frank D. Rubel has resigned as head of Pioneer Theatres' Des Moines houses, which in the future will be operated directly from here by Harold D. Field.

Open Eaton, Ohio, House

EATON, O., March 10. — Rader Brothers, Columbus theatre operators, have opened the new 498-seat James here, which was remodeled from the Knights of Pythias Hall.

Raze Kansas City House

KANSAS CITY, March 10.—The Bagpress, in downtown Kansas City, is being razed after 30 years, to make way for a parking lot. It has been closed since 1936.

Sparks Opens Theatre

WINTER PARK, Fla., March 10.—The new Colony of Winter Park, latest Sparks theatre, has been opened. Seating 800, the new Colony is air-conditioned.

Building Miami House

MIAMI, March 10.—A $100,000 theatre seating 965 has been started here by the Biscayne Boulevard Theatre Corp., of which Lester R. Duxstad is president.

Open Florida Theatre

LAKE WORTH, Fla., March 10.—The new Lake Theatre here has just opened. The building cost approximately $70,000 and will seat 860 persons.

Northio Installs Equipment

HAMILTON, O., March 10.—New screens and rectifiers have been installed in the Rialto and Palace, local units of the Northio circuit.

Herman Quits Warners

DES MOINES, March 10.—Harry Herman, salesman at the Des Moines Warner office, has resigned and with Mrs. Herman, has left to spend a month in New York City before going to New Hampton, Iowa, to take over the theatre that he recently leased.

Open Drive-In Theatre

ORLANDO, Fla., March 10.—A new drive-in theatre has been opened here. The parking space will accommodate 310 automobiles. The screen is 42 feet wide and 60 feet high.

Re-Equip House in Florida

VERO BEACH, Fla., March 10.—The Florida Theatre here has undergone extensive alterations and complete new equipment has been installed at a cost of approximately $25,000.

Managers Transferred

MILTON, Fla., March 10.—The Imogene Theatre here has changed managers. Robert Scott, for six years manager of the Dale in Ozark, Ala., came to Milton, succeeding Charles Orr.

Vlastos Opens Theatre

FOWLER, Ind., March 10.—Richard Vlastos has opened the new Fowler here. Vlastos also operates the Dreamland here, the Williams in Williamsport, Ind., and the Knox and Fairy in Knox, Ind.

Theatre and Personnel Notes

Form Theatre Company

MACON, Ga., March 10.—Ea[illegible]n Amusements, Inc., has been granted a charter. The incorporators include Paul M. Conway, Macon; Robert C. and Fred Edwards and Mrs. Virginia Young Edwards, Tampa, Fla., and Herbert M. Thompson, Clinton, Iowa.

McConaughy Named Manager

INDIANAPOLIS, March 10.—C. E. McConaughy has been appointed manager of the Dream Theatre here, succeeding Harry Nagel, who resigned recently because of ill health. The new manager formerly was in the office of Exhibitors Exchange, Inc., in Indianapolis.

Close Equipment Deals

Following theatres have closed new deals for the installation of RCA sound equipment: Star, Shreveport; Liberty, Salem, Ore.; Nitro, Nitro, W. Va.; Palace, Trumansburg, N. Y.; Oak Harbor, Oak Harbor, Wash., and the Rex, Hammond, La.

Alter Virginia Theatre

MATHEWS COURT HOUSE, Va., March 10.—Robert Bertschy, manager of the Be-Jo is planning extensive alterations and improvements, including a new colored balcony to seat 200, new front and marquee.

Two in Arkansas Town

MORRILTON, Ark., March 10.—M. S. McCord of North Little Rock plans to open a theatre there in the spring. A second house, seating 600, has been leased to Sidney Metcalf and S. B. McSwain.

Reopen at Atlantic City

ATLANTIC CITY, N. J., March 10.—The Margate reopens for the coming season this Saturday. Wesley Watson, who was manager when the Margate first opened last year, will again be in charge.

Plans Wauseon, O., House

WAUSTON, O., March 10.—P. R. Tourney, who owns and operates the Princess here, has taken a lease on a storeroom in the business sector, which he will remodel into a 300-seat theatre.

Parsons Universal Manager

KANSAS CITY, March 10.—G. C. Parsons, until last Fall Western sales manager for Republic, has been named branch manager of Universal here, succeeding Leroy J. Miller.

Form Virginia Firm

RICHMOND, Va., March 10.—A charter has been issued to Vernon Amusement Corp., Alexandria, Va. Elliott F. Hoffman of Alexandria is president.

Virginia Firm Formed

ALEXANDRIA, Va., March 10.—Vernon Amusement Corp. has been chartered here. Elliott F. Hoffman is president.

Critics' Quotes . . .

"STRANGE CARGO" (M-G-M)

A fascinating and arresting drama. . . . Some of the time almost grim, it has a spiritual trend. . . . Continuity is excellent and the story is presented artfully.—**Los Angeles Examiner.**

"Strange Cargo" possesses a unique quality, though its appeal may be interfered with by the excessive length of the narrative and its all too many complications. It would be a much stronger picture were it not for the symbolism.—**Edwin Schallert, L. A. Times.**

No ordinary motion picture. It is something more. It has an odd excellence. . . . Frank Borzage's careful direction is responsible for the sincerity and finesse of what, in less capable hands, might have been a sorry mess of melodramatics.—**Jimmy Starr, L. A. Herald Express.**

"NORTHWEST PASSAGE" (M-G-M)

Adventure enough to please the heart of the most rabid fan. . . . Stirring action from opening to finale packs "Northwest Passage."—**Kansas City Journal.**

This is a beautiful, and at times, back-breaking film record of the first half of Kenneth Roberts' grand novel.—**Kansas City Star.**

"DR. EHRLICH'S MAGIC BULLET" (Warners)

It is the best photoplay of the type since the same studio's "The Story of Louis Pasteur," and in many respects it is superior to its distinguished predecessor. . . . Its chief attribute is its air of verity.—**Philadelphia Ledger.**

The wonder of the film is that it was made at all. . . . A production marked by dignity, good taste and honesty. . . . A film among films, expertly cast.—**Elsie Finn, Philadelphia Record.**

It is so much more than a dignified account of a scientist's successful microbe hunt; it is a document both human and dramatic, its bullets loaded with social meaning.—**Laura Lee, Philadelphia Bulletin.**

All doctors and their patients will find this film a thrill and an inspiration. . . . It demonstrates the power of the screen to perform eloquently and surely in terms of restrained theatre.—**Kansas City Star.**

Edward G. Robinson gets a chance at a new type of role and turns in a fine performance. . . . The picture has been so produced that it is good entertainment.—**Kansas City Journal.**

"THE GRAPES OF WRATH" (20th-Fox)

We wish we could use its own simple langauge to tell the glories of "The Grapes of Wrath." . . . We don't think Hollywood has ever conceived a more honest, more important photoplay.—**Henry T. Murdock, Philadelphia Ledger.**

One of the most astonishing adventures the screen has yet offered. . . . It's a moving picture, but not a pretty one. . . . It is drama at its starkest.—**Dorothy Guinan, Philadelphia News.**

Here is a film that merits the term "great." Here is a grim and powerful presentation of a still unsolved American problem. . . . A passionate screen masterpiece.—**Laura Lee, Philadelphia Bulletin.**

Perhaps one of the greatest pictures ever made and surely one of the most important. . . . Checks in a new era of film making. . . . Although the film settles nothing, neither does it despair to the extent of the novel.—**Elsie Finn, Philadelphia Record.**

"Grapes of Wrath," while not so profane on the screen as in the novel, is a powerful social document of the times. . . . There's nothing phony about "Grapes of Wrath." There is high-powered compression of the essence of tragedy.—**C. J. Bulliet, Chicago Daily News.**

"Grapes of Wrath," to our mind, is one of the genuinely great pictures to come out of Hollywood. . . . The film deserves to escape the charge of propaganda which was so frequently hurled at John Steinbeck's book . . . because, as John Ford tells it, it is only as controversial as a breadline. . . . The picture is quiet-voiced and matter-of-fact.—**Doris Arden, Chicago Daily Times.**

Although it is a question whether or not "The Grapes of Wrath" is to be classified as entertainment, there is no doubt about its qualifications as outstandingly different screen-fare.—**Chicago Herald American.**

The screen adaptation of John Steinbeck's powerful and much discussed novel comes to the silver screen as a powerful, painful—but exquisitely simple and beautiful picture. . . . From every standpoint this is one of the finest pictures ever made.—**Chicago Daily Tribune.**

Radio Brevities

THE new Rudy Vallee show for Sealtest made its bow last Thursday in the half-hour spot left vacant by the paring of the "Good News of 1940" program down to a half-hour. With the Vallee and "Good News" programs have high comedy potentialities, but neither gave a well-paced or sustained performance on the premiere night.

Vallee, in the role of Christopher Columbus, proved himself an able comedian and the nature of the fantasy provides a wide range of humor for the rest of the cast. "Slapsie Maxie" Rosenbloom walked off with most of the laughs, however.

The "Good News" show would do well to concentrate its time on Fannie Brice (Baby Snooks) and Hanley Stafford (Daddy) instead of merely giving a shorter version of its previous full hour show.

Both Dick Powell and Mary Martin are worthy additions to the cast and would do credit to any variety program but a half hour is too short to do them all justice.

Personalities in the News

Thomas D. Connolly, of the CBS sales promotion department, goes to Atlanta on Wednesday to address the Atlanta Advertising Club on the influence of radio on the buying habits of America. . . . Dan Seymour, CBS announcer, will act as master of ceremonies at the annual White House Correspondents' Association Dinner Saturday night. . . . Arthur T. Robb, editor of "Editor and Publisher," will be the fifth member of the board of judges on the Town Hall contest for the best patriotic cartoon. . . . Linda Hayes will appear opposite Charles Boyer on the Woodbury "Hollywood Playhouse" over NBC-Red at 8 P.M. on Wednesday.

U. S. Radio Show Banned

Radio dramatizations by the Department of Interior for the purposes of influencing legislation were banned by the House of Representatives last week. The prohibition was written into the 1941 Interior Department appropriation bill.

Program News

Activities of chorus girls will be described on the 100th broadcast of the "Americans at Work" series over CBS on Tuesday, March 19, at 10:15 P.M. . . . S. C. Johnson & Son have renewed the "Fibber McGee & Molly" show for an additional 52 weeks, effective April 9. The program is heard Tuesdays at 9:30 P.M. over 73 NBC-Red stations. . . . Park & Tilford will sponsor a recorded five-minute series on Tuesdays and Thursdays over WEAF at 9:05 A.M. for 16 weeks, beginning tomorrow. The title is "Helpful Harry's Household Hints." . . ."Editorially Speaking," a forum discussion by magazine editors and writers, will start over WMCA tomorrow at 10:30 P.M. and will be heard at 10:15 on Tuesdays and Thursdays thereafter.

New CBS Studios Ready May 15

Seven new studios on 52nd Street for CBS will be ready for occupancy about May 15, the network announced yesterday. The building, on the site of the former Juilliard School of Music building, will have experimental laboratories as well as studios and will serve as an annex to the present CBS building on Madison Avenue, which is across the street.

It will cost about $700,000, network officials said, and will feature the last word in acoustic equipment. Only two of the studios will be able to seat large audiences.

Radio Versus Newspapers

"As radio settles into the pattern which it eventually will assume, newspapers will regain the ground lost over the past 10 years," Mark F. Ethridge, vice-president of the Louisville, Ky., *Courier-Journal* and *Times,* told the Cincinnati Advertisers Club recently. "The public primarily wants entertainment from radio, with spot news as the next most popular feature. There is no competition between newspapers and radio, because newspapers provide elaboration of the news, which radio is necessarily unable to do."

New York Review

"The Human Monster"

(Monogram)

Bela Lugosi, who has scared the wits out of countless film fans with his portrayals of horror roles, provides new thrills and chills in "The Human Monster." Under the able direction of Walter Summers, the story achieves and maintains an intensity that will fascinate those who enjoy this blood-tingling type of entertainment.

Lugosi undertakes the double role of a demented doctor and a kindly head of an institution for the blind. As Dr. Orloff, he obtains insurance on the lives of friends, drowns them and collects. As Mr. Dearborn, he conducts a home for the sightless. Hugh Williams does a likeable job as the Scotland Yard inspector who is called upon to solve the sudden appearance of a large number of bodies floating down the river. Diana Stuart supplies the heart interest.

Most of the story's more gruesome moments are concentrated in the activities of Wilfred Walter, who, as a deformed blind giant, pursues and then drowns Lugosi's victims.

John Argyle produced the picture in England. The stress on the horror angle may make it too strong for children's entertainment.

Running time, 73 minutes. "A."

EDWARD GREIF

---

*"A" denotes adult classification.

Rubin Asks Federal Court Practice Right

J. Robert Rubin, vice-president and general counsel of M.G.M., on Friday filed an application for admission to practice law in the U. S. District Court. Rubin will appear before Federal Judge Murray Hulbert on March 15 to be officially admitted as a Federal Court advocate.

The petition is accompanied by sponsoring affidavits of Samuel D. Cohen and David O. Decker, M.G.M. attorneys. Rubin was admitted to state practice in Rochester in 1906, according to the application.

Contract Record For Terry-Toons

Theatre contracts for Terry-Toons have passed the 10,000 mark in the domestic market, a new all-time high for the cartoon subjects, according to William J. Clark, short subjects sales manager for 20th Century-Fox, which distributes the subjects.

One-third of the series were made in color last year for the first time. Paul Terry, producer, will increase the number of subjects in color this year.

Cameras Record Air Battles, Train Fliers

The latest use of motion pictures for war purposes has been introduced in England. Cameras are synchronized with the guns of British fighting planes to record automatically combats with German planes.

The cameras operate when the guns go into action. The resulting pictures are used to instruct pilots who are in actual service and those in training.

'Wrath' Pulls Good $13,500 Denver Lead

DENVER, March 10.—"Grapes of Wrath" drew $13,500 with several standouts at the Denver, the film being moved to the Aladdin for a second week. "Broadway Melody of 1940" took $11,000 at the Orpheum.

Estimated takings for the week ending March 6:

"Swiss Family Robinson" (RKO)
ALADDIN—(1,400) (25c-35c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
"Gone With the Wind" (M-G-M)
BROADWAY—(1,040) (75c-$1.12-$1.50) 7 days, 2nd week. Gross: $5,000. (Average, $2,500)
"The Farmer's Daughter" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Jimmie Scribner in his radio "Johnson Family" on stage. Gross: $5,000. (Average, $6,500)
"Grapes of Wrath" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $13,500. (Average, $9,000)
"Broadway Melody of 1940" (M-G-M)
"Saint's Double Trouble" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"Invisible Stripes" (W. B.)
"Calling Philo Vance" (W. B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"Raffles" (U. A.)
"Nick Carter, Detective" (M-G-M)
RIALTO—(878) (25c-40c) 7 days, "Raffles" 3rd week. Gross: $1,750. (Average, $1,750)

Denies Neely Speeches

Ed Rosenbaum, exploitation man for Columbia in Philadelphia, has informed MOTION PICTURE DAILY that he has not addressed women's clubs and similar groups in opposition to the Neely bill, as had been reported.

"The DARK COMMAND"

RAOUL WALSH • DIRECTOR

with

CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON

ROY ROGERS • GEORGE HAYES • PORTER HALL

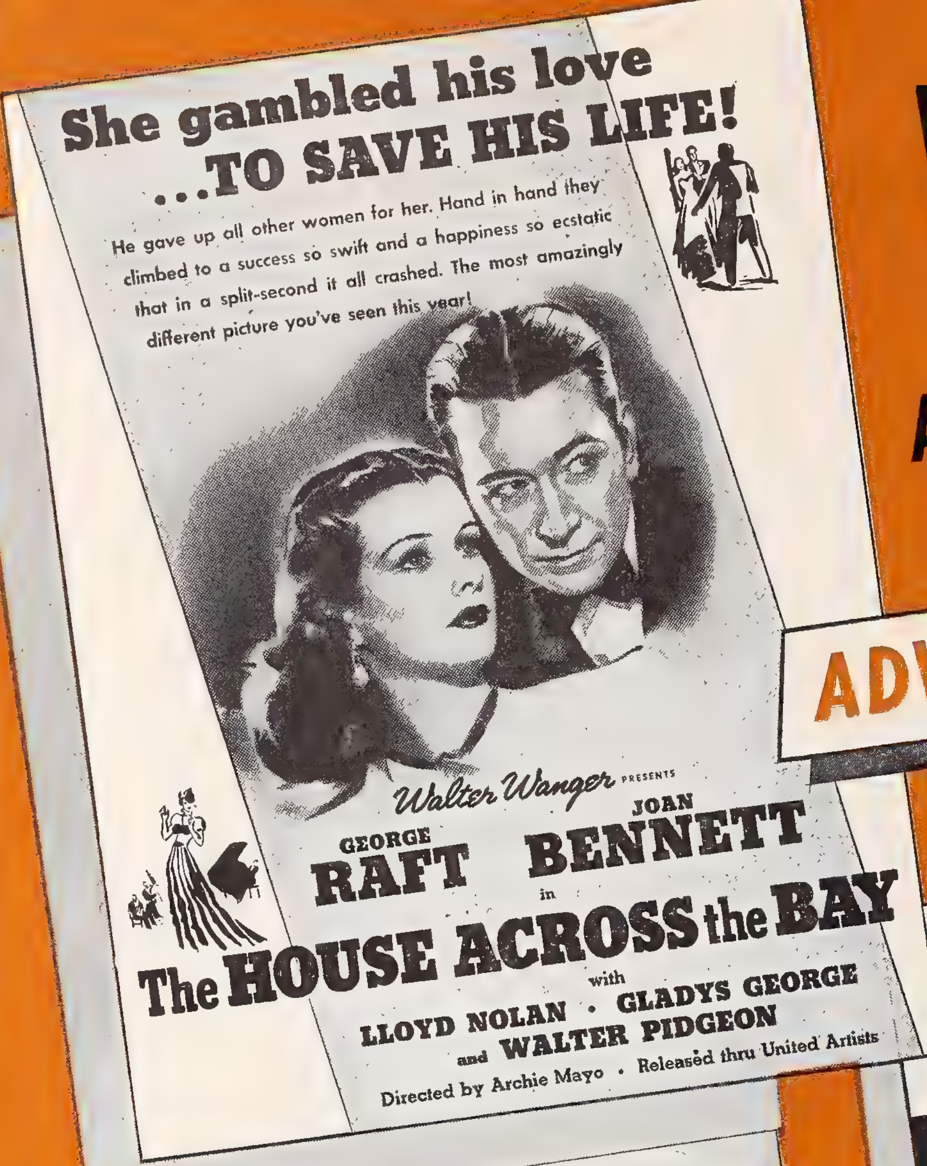
MARJORIE MAIN • RAYMOND WALBURN

"He's a liar; he had it comin'!"

A Republic PICTURE

WOMEN'S ADS WITH A MAN-SIZE WALLOP!

...for the year's greatest woman's picture!

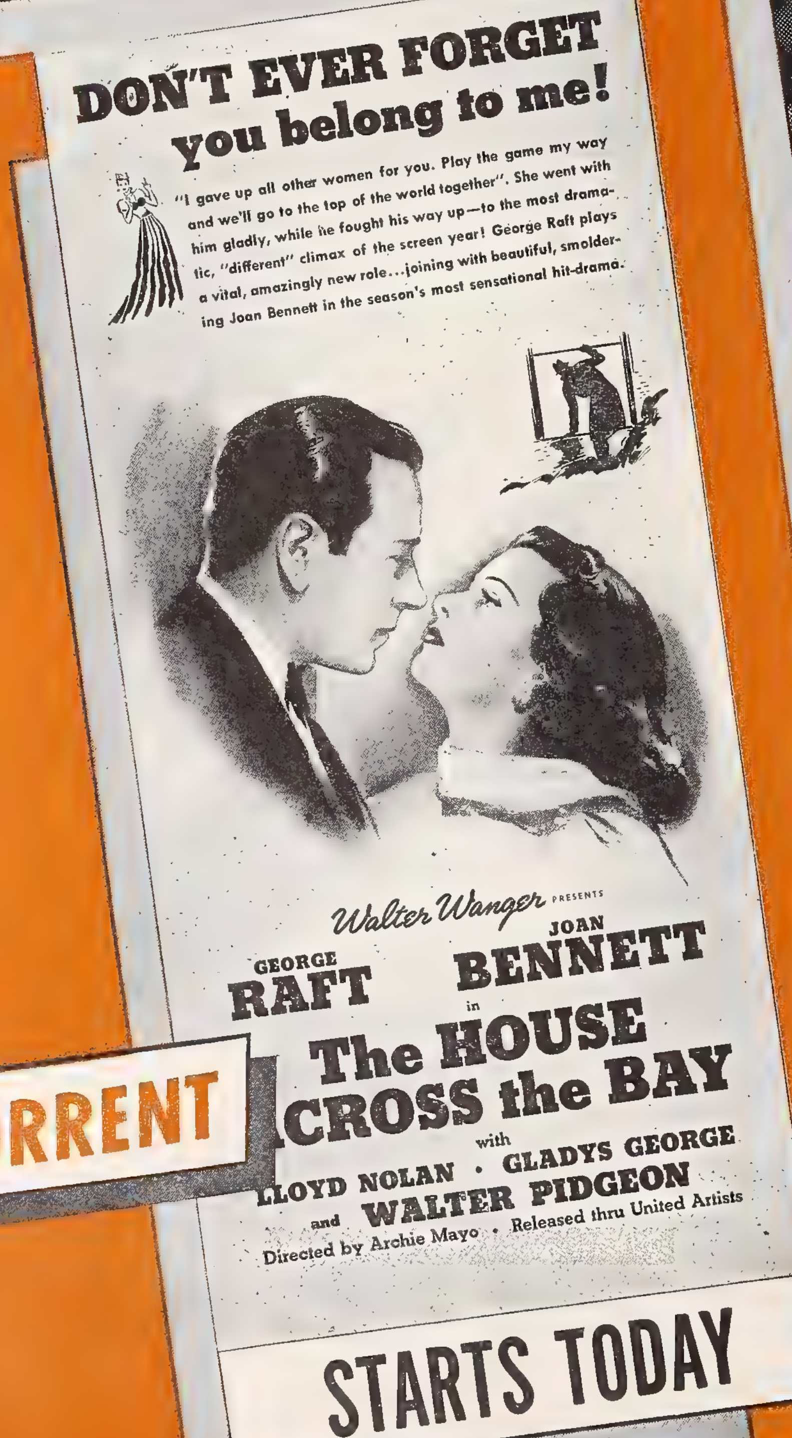


ADVANCE

She gambled his love ...TO SAVE HIS LIFE!

He gave up all other women for her. Hand in hand they climbed to a success so swift and a happiness so ecstatic that in a split-second it all crashed. The most amazingly different picture you've seen this year!

Walter Wanger PRESENTS
GEORGE RAFT JOAN BENNETT
in
The HOUSE ACROSS the BAY
with
LLOYD NOLAN · GLADYS GEORGE
and WALTER PIDGEON
Directed by Archie Mayo · Released thru United Artists



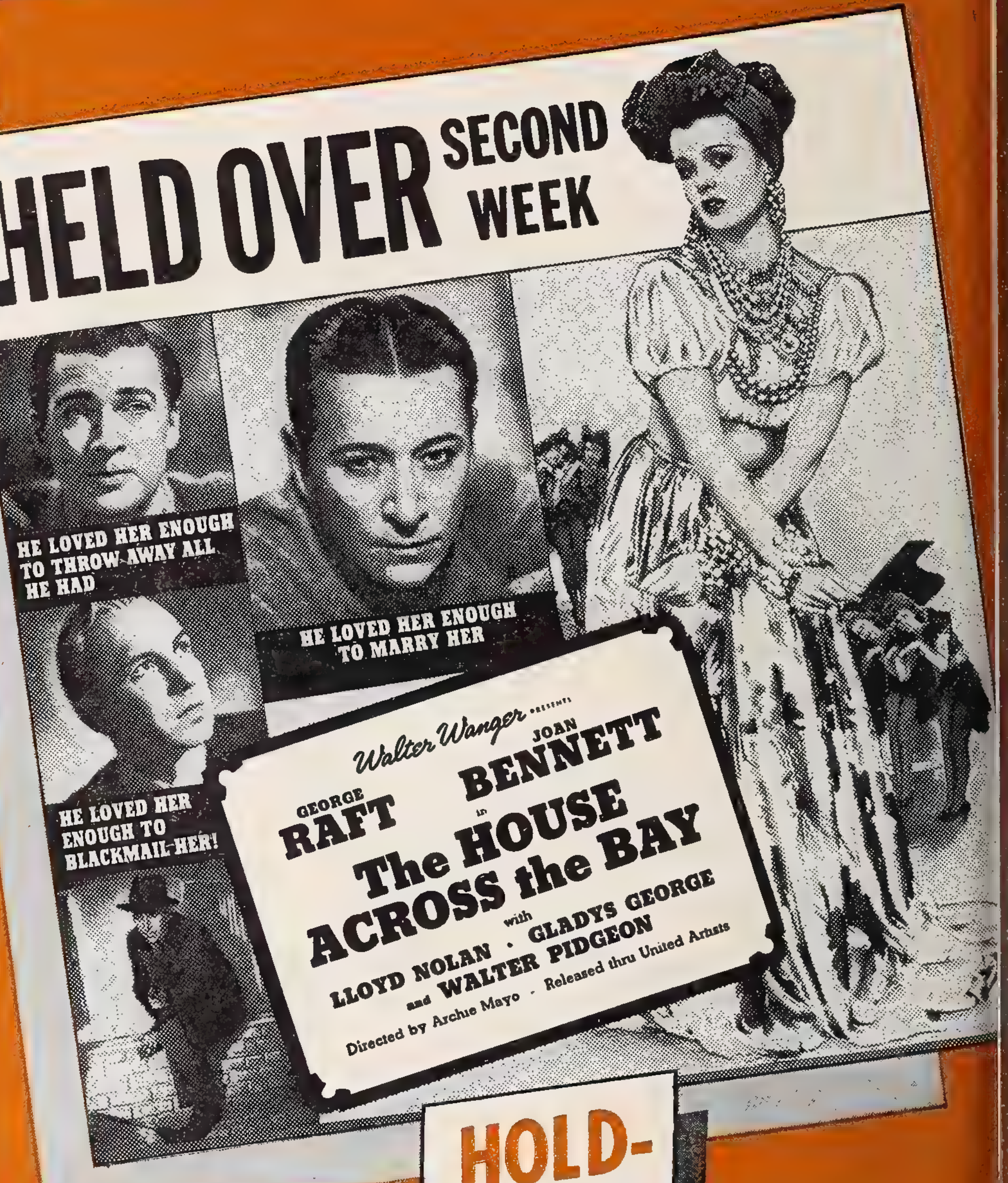
CURRENT

DON'T EVER FORGET you belong to me!

"I gave up all other women for you. Play the game my way and we'll go to the top of the world together". She went with him gladly, while he fought his way up—to the most dramatic, "different" climax of the screen year! George Raft plays a vital, amazingly new role...joining with beautiful, smoldering Joan Bennett in the season's most sensational hit-drama.

Walter Wanger PRESENTS
GEORGE RAFT JOAN BENNETT
in
The HOUSE ACROSS the BAY
with
LLOYD NOLAN · GLADYS GEORGE
and WALTER PIDGEON
Directed by Archie Mayo · Released thru United Artists

STARTS TODAY



HOLD-OVER

HELD OVER SECOND WEEK

HE LOVED HER ENOUGH TO THROW AWAY ALL HE HAD

HE LOVED HER ENOUGH TO MARRY HER

HE LOVED HER ENOUGH TO BLACKMAIL HER!

Walter Wanger PRESENTS
GEORGE RAFT JOAN BENNETT
in
The HOUSE ACROSS the BAY
with
LLOYD NOLAN · GLADYS GEORGE
and WALTER PIDGEON
Directed by Archie Mayo · Released thru United Artists

Walter Wanger's most important picture since his prize-winning "Stagecoach". A RAFT of romantic dynamite for the ladies. Plus BENNETT as a smoldering invitation to the men...

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 47. NO. 50 NEW YORK, U. S. A., TUESDAY, MARCH 12, 1940 TEN CENTS

France Plans New Rules on Remittances

U. S. Companies to Fight Use of '37-'38 Figures

New regulations governing the withdrawal of currency from France are expected to be drafted within the next few months by that government, according to foreign department officials here.

Current indications are that France eventually will permit withdrawals equivalent to half of the total withdrawals of American distributors during 1937 and 1938. French government sources already have requested American companies to report their currency withdrawals for those years.

Until this information has been given to the French authorities and the new fiscal policy determined, it is unlikely that any remittances from France will be authorized. Currency restrictions which make it next to impossible to obtain remittances were invoked by France about two weeks ago.

Since cash returns from the French market have been declining steadily

(*Continued on page* 4)

Spotty Week-End For N. Y. Grosses

Gross figures varied widely in Broadway first run houses over the weekend with business spotty for the most part.

At the Roxy, "Vigil in the Night," with a stage show opened big with an estimated $27,500 for the first three days.

Glenn Miller's band on the stage at the Paramount helped "Seventeen" to a strong gross of an estimated $22,000 for Saturday and Sunday. It should finish with an estimated $44,000 for its second week which ends tonight.

At the Music Hall, "Too Many

(*Continued on page* 4)

'Virginia City' Group Leaving Tomorrow

A group of newspaper and trade paper representatives and Warner home office executives, headed by Mort Blumenstock, director of advertising and publicity in the East, will leave tomorrow afternoon to attend the world premiere of "Virginia City" at Reno, Nev., on Saturday.

Aboard the *Commodore Vanderbilt*

(*Continued on page* 4)

Quigley Awards Presented Today

Hollywood, March 11.—The luncheon and presentation of the Quigley Grand Awards for 1939 will be held at the Victor Hugo Restaurant here tomorrow. Honors will be bestowed on Ray Bell, publicity director for the Loew Theatres, Washington, D. C., and Lige Brien, manager of Warners' Prince, Arbridge, Pa.

Y. Frank Freeman, Paramount vice-president and studio head, will act as toastmaster, taking the place of David O. Selznick, who is ill.

The winners, together with A-Mike Vogel, chairman of the Managers' Round Table, arrived in Hollywood over the weekend for a week's round of festivities as guest of Quigley Publications.

Completing U.A.'s New Season Plans

United Artists' new season production plans will be completed in Hollywood this week and arrangements for the company's annual sales meeting will be made shortly thereafter, Harry Gold, vice-president and Eastern general sales manager, said yesterday on his return from the Coast.

Gold participated in the preliminary production conferences and saw a number of the company's forthcoming releases.

Alexander Korda went to the Coast over the weekend to confer on the production plans and attend a meet-

(*Continued on page* 4)

Actor Unions Pick Joint Committee Upon Television

Actor unions interested in unionization of the television field have finally chosen their delegates to a joint committee. They are Walter N. Greaza, Actors Equity; Ruth Richmond, Chorus Equity; Florence Marston, Screen Actors Guild; and Emily Holt or George Heller, alternating, American Federation of Radio Artists .

The four will select a fifth member, probably Frank Gillmore, president of Associated Actors and Artistes of America, the parent body. Greaza declared yesterday that the committee would be ready to start functioning this week, despite the fact that Gillmore will start on a vacation trip next Monday.

Greaza stated that there was sufficient agreement among the committee members to permit the committee to proceed in the absence of Gillmore.

However, Mark Woods, NBC treasurer, who has been conducting the negotiations for the network, left yesterday for a month's trip to the Coast and the discussions may have to await his return.

Universal Doubles Its Net For Quarter

First quarter net of Universal Pictures Co. is estimated in Wall Street at approximately $300,000, or nearly double the company's net profit for the corresponding quarter of the preceding fiscal year.

Universal's profit for the quarter a year ago was $157,990. First quarter of the current year ended Feb. 1.

Foreign Theatres in U. S. Suffering Lack of Pictures

Theatres devoted to foreign films are encountering difficulty because of the lack of product due to virtual cessation of production in France and other countries since the war.

French pictures have led other foreign-language product at these theatres, which multiplied throughout the country as French films improved in quality. The fact that the United States became a good market for the French producers impelled them to increase their programs and spend more money on them.

With the outbreak of the war, Sept. 3, all this changed. Production stopped, films that were unfinished were abandoned and the producers have been unable to complete their commitments.

As a result, no new French films have been imported into the United States since last September, other than propaganda films which as a rule do not fare well at the box-office.

A number of pictures have been brought in, but they were produced a year ago. Among them are "Harvest," "The Baker's Wife" and "The Human Beast."

Several French films that were rejected by American importers before

(*Continued on page* 2)

No Criminal Prosecutions, Says Arnold

Doubts Chance of Trust Suit Settlement

The Federal Government does not contemplate prosecuting criminal actions against film executives for alleged violations of the anti-trust laws, Assistant Attorney General Thurman Arnold declared in a press interview yesterday.

Arnold once more discounted the possibility of a settlement of the New York anti-trust suit.

The Government's aim is to win a court decree providing for the appointment of a trustee who would supervise the gradual sale of the majors' theatre holdings.

In the course of answering questions, he stressed the point that the Government lists of prospective witnesses include all persons who knew of alleged acts in restraint of trade and did not necessarily mean that those named would testify "willingly".

Among prospective witnesses were a number of large theatre operators who may be named defendants in future Government suits, Arnold explained. Some of the large circuit owners had been guilty of more seri-

(*Continued on page* 4)

$9,404,800 Spent On Columbia Films

Columbia Pictures spent an estimated $9,404,800 last year on production, it was revealed yesterday in answers to Government interrogatories filed in the U. S. District Court. For the 1937-38 season, the company's production cost was $11,499,200, the answers stated.

Replies to 59 Government questions put to Columbia in the New York anti-trust suit also detailed information on the company's stock structure and financial status. Answers, in ad-

(*Continued on page* 4)

Hays Cites Gains In Picture Quality

INDIANAPOLIS, March 11.—The constant improvement in picture quality noted in current outstanding product is the result of definite planning and a part of Hollywood production policy, Will H. Hays stated while here over the weekend.

"There's just as much accident in

(*Continued on page* 4)

Disney's Stock Offer Expected This Week

Los Angeles, March 11.—A registration statement covering the contemplated first public offering of securities of Walt Disney Prod. may be filed this week.

The offering consists of 155,000 shares of six per cent convertible preferred stock of $25 par value. The issue will be underwritten by a group of investment bankers headed by Kidder, Peabody & Co. and Harriman, Ripley & Co. in New York and by Pacific Capital Corp. and Mitchum, Tully & Co. on the Coast.

1939 earnings of the Disney company are reported to have been in excess of $1,250,000.

Goldwyn Suit Plea By Korda Delayed

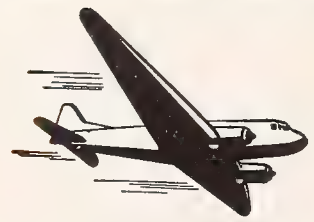
Applications of Alexander Korda and the London Film Productions to discuss the Goldwyn suit against them were postponed to April 2 in U. S. District Court yesterday.

At the same time, motions of Goldwyn to examine Korda before trial and of United Artists to compel Goldwyn to file an amended complaint were adjourned to the same day from March 15.

Columbia's Billings 40% Beyond Quota

Columbia's Montague 15th anniversary campaign, which started Feb. 17, has increased national billings to date on an average of 40 per cent over the quota set, company stated yesterday.

Twenty-seven of 31 exchanges are ahead of their campaign quota and the remainder have exceeded average billings, it was said.



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"I FLY UNITED"
Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Continental," leave 5:15 pm, and "The Overland Flyer," leave 10:45 pm. Finest service aloft. Call travel agents, hotels, or
UNITED AIR LINES
58 E. 42nd Street
Phone MU-2-7300

◂ Purely Personal ▸

Thomas J. Connors, M-G-M Southern, Eastern and Canadian division manager, has returned from a month's vacation in Florida and Nassau. As fishing companions he had William A. Scully, Ed Sparks, Charles Kessnich, Bob Thomas, T. J. Connors, Jr., M. A. Lightman, and E. K. (Ted) O'Shea, M-G-M Eastern district manager. Shea also returned yesterday from Miami.

•

Dan Finn, district manager for Warner Theatres in New Haven, is en route to Florida for a few weeks' vacation. Max Melincoff, district manager for the circuit in Massachusetts, also has left for the resort.

•

L. M. Graburn of the Famous Players Canadian home office staff, has gone to Halifax, N. S., to take over the duties of district manager during the illness of R. S. Roddick.

•

H. J. Lankhorst, Jr., owner of the Sioux Theatre in Hawarden, Iowa, is a candidate for mayor of that city. The election will be held March 25.

•

N. L. Nathanson, head of Famous Players Canadian Corp., and Mrs. Nathanson have returned to Toronto after a vacation in Florida.

•

Sam Glazer, branch manager for United Artists Corp., Ltd., in Toronto, has returned to his post after a month's vacation in Miami.

•

Margaret Leczer, secretary to William F. Rodgers, M-G-M general sales manager, has returned from a vacation in Havana.

•

Milton J. Salzburg, president of Pictorial Films, Inc., leaves by plane today for a business trip through the Middlewest.

•

George Freeman, manager of the Poli, Springfield, Conn., enters the Mount Sinai Hospital here today for an operation.

•

Norman Linz, manager of the Paramount, Cincinnati, is in the Jewish Hospital in that city with blood poisoning.

•

John McManus, manager of Loew's Midland, Kansas City, has left for a California vacation with his family.

•

Mr. and Mrs. Joe Seider are vacationing in Mexico City after a trip to Florida and Havana.

•

George Lester, Toronto exhibitor, has left for a motor trip in the South with Mrs Lester.

•

James R. Grainger, president of Republic, returns today from the Coast.

•

Dorothy Lamour is in town following a Miami vacation.

ATTRACTIVE OFFICES
WITH PROJECTION ROOM AND
FILM VAULTS AVAILABLE AT
REASONABLE RENTAL.
723 Seventh Ave. Inquire Supt.

Neil F. Agnew, Paramount vice-president and distribution head, returned yesterday from an extended tour of company branches.

•

George Dembow, Toby Gruen, Vincent Trotta, Tom Walker, Nat Karson, Burgess Meredith, John Golden, Harry Oshrin, Eddie Dowling, Al Lewis, Robert Milton and Jack Kirkland at Sardi's for lunch yesterday.

•

Monroe Greenthal, Oscar Doob, Joseph Malcolm, Arthur Alexander, Ralph Cohn, Ernie Westmore, Alan Freedman, Arthur Kelly and Charles Buckley at Bob Goldstein's Tavern for lunch yesterday.

•

Howard Dietz, Dave Palfreyman, Tom Connors, Ted O'Shea, Sam Shain, Maurice Bergman, Martin Starr and Russell Holman lunching at Nick's Hunting Room in the Astor yesterday.

•

Matthew J. Fox, vice-president of Universal, who arrived from the Coast yesterday, will remain at the home office for about a week before returning to Hollywood.

•

Edith Fellows, Columbia juvenile, will arrive from the Coast by train today for personal appearances at Loew's State starting Thursday.

•

Joseph Miller, Columbia Albany branch manager, was given a party Saturday in celebration of his 47th birthday.

•

W. G. Enloe, resident manager of North Carolina Theatres at Raleigh, has recovered from an infected throat.

•

Herbert Wilcox was delayed en route to New York from the Coast. He is scheduled to arrive today.

•

Lou Diamond, Paramount short subjects department head, returned yesterday from Florida.

•

S. Barret McCormick plans to leave for Hollywood Friday, to be away about two weeks.

Lederer Heads Merit

Otto Lederer has been elected president of Merit Pictures Corp., independent distributing organization. Jerome Wilson has been elected vice-president; Etta V. Segall, treasurer, and Samuel Brown, secretary. In line with expansion plans, the company is adding a new program of pictures.

Circuit Net $94,640

Montreal, March 11.—United Amusement Corp., Ltd., operating about 20 houses in Quebec Province, has reported net profit for 1939 of $94,640, compared with $85,468 for 1938. The 1939 net was equal to $1.17 per share on the combined A and B stock against $1.05 in 1938.

Sentence Theatre Vandal

St. Louis, March 11.—Earl A. Staab, janitor employed at the Fox, who pleaded guilty to slashing several hundred seats at the theatre, was sentenced to a year and half in the workhouse.

20th-Fox Convention In Chicago April 12

International sales convention of 20th Century-Fox will be held April 12 and 13 at the Drake Hotel in Chicago, with Herman Wobber, general manager of distribution, presiding. There will be an attendance of about 300 representatives in the United States and Canada, including executives of the foreign department. This is the first company to set its annual sales meeting.

Consolidated Film Meeting March 28

Reelection of four directors for three-year terms is scheduled at the annual stockholders' meeting of Consolidated Film Industries, Inc., on March 28. They are H. J. Yates, Ralph I. Poucher, W. P. Stevens and Walter W. Vincent.

Yates is scheduled to be reelected chairman of the board and president at a directors' meeting to be held following the stockholders' session. Yates is due from the Coast March 25.

John Saunders, Film Writer, Found Dead

Fort Myers, Fla., March 11.—A man identified as John Monk Saunders was found dead at the film writer's winter cottage here today.

Saunders, 42, was the author of numerous short stories and novels. He started writing for the screen in 1925 for Paramount. Included in his writings are "The Dawn Patrol," "The Last Flight," "The Eagle and the Hawk," "Devil Dogs of the Air," "I Found Stella Parish" and "A Yank at Oxford."

Foreign Theatres Suffer Film Lack

(Continued from page 1)

the war later were bought for the United States because of the lack of new pictures.

Foreign film houses are booking selected American films to fill the gaps and are reviving old foreign pictures. Their product possibilities are limited since Russian and German pictures have reached a low in popularity and the supply from other countries is sharply diminished.

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DAILY
(Registered U. S. Patent Office)
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UNRIVALED PERFORMANCE

NO wonder cameramen place full confidence in Eastman's three negative films. They know that each offers specialized ability to meet modern production demands. Even more important, they know that every foot will have the same high quality, the same unvarying dependability. Eastman Kodak Co., Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

No Criminal Prosecutions, Says Arnold

(Continued from page 1)

ous practices than the majors, he contended.

The Government is not interested in criminal prosecutions, Arnold said, because it had "acquiesced" to a number of business transactions negotiated by the majors since 1921. In view of the Government's former stand, there was no warrant for criminal actions, Arnold stated.

Arnold asserted that the Government intends to push the suit to an immediate trial. He told the press that discussions under the aegis of the Department of Commerce had resulted in two years of talk without any tangible conclusions being reached.

Continuing in this vein, Arnold scouted at the possibility of settlement. The Government's views had been expressed conclusively in a release issued at the time suit was filed, he said.

For the first time, Arnold revealed that Special Assistant Attorney General Paul Williams was definitely slated to try the suit for the Government.

Arnold expressed his determination to take the case up to the Supreme Court, if necessary, and had no doubt that the defendants would act similarly. The Department was somewhat handicapped in prosecuting the film suit by being shorthanded, he said.

No prediction can be made as to the length of the trial, Arnold declared.

In clarifying his remarks upon what the Government would require in a court decree, Arnold stated that the majors should be immediately deprived of theatre control. However, to prevent a suddenly depressed theatre market, sale of the majors' circuits might be prolonged over a 10 year period, he concluded.

'Virginia City' Group Leaving Tomorrow

(Continued from page 1)

leaving at 4:20 P. M. will be the following: Chick Lewis, *Showmen's Trade Review;* Jay Emanuel, *The Exhibitor;* Sam Shain, *Motion Picture Daily;* George Tucker, Associated Press; Ira Wolfert, N.A.N.A.; Lucius Beebe, *Herald-Tribune* Syndicate; Howard Barnes, New York *Herald-Tribune;* Frank Farrell, New York *World Telegram;* Eileen Creelman, New York *Sun;* Jack Lait, New *Daily Mirror;* Herbert Cohen, Brooklyn *Eagle;* Ely Jacques Kahn, The *New Yorker;* Frank Tinsely, Reuter's; Andre Peron, Havas Agency; Joe Miller, Philadelphia *Inquirer,* and Elsie Finn, Philadelphia *Record.*

Home office representatives include: Jacob Wilk, Ralph W. Budd, John Harkins and Sidney Rechetnik. Dr. Duncan Emrich of Columbia University and his wife will also be members of the party.

The Eastern group will be joined in Chicago by a delegation from the midwest who will proceed with them to Truckee, Cal. There they will meet the "Virginia City Special," carrying Hollywood stars and correspondents and Warner studio executives, headed by Jack L. Warner, Hal B. Wallis and S. Charles Einfeld.

Hollywood Review

"The House of Seven Gables"

(Universal)

HOLLYWOOD, March 11.—Deep and long standing in American memory is Nathaniel Hawthorne's novel of early New England, here filmed with care and thoughtfulness. The picture is solid, upstanding entertainment. George Sanders, Margaret Lindsay, Vincent Price, Dick Foran, Nan Grey, Niles Mander and Cecil Kellaway head a competent cast excellently directed by Joe May. It is a Burt Kelly production, a well planned and executed job, and it is beneficiary of some outstanding enterprise on the part of art director Jack Otterson.

The Hawthorne story, as is well remembered, deals colorfully with such matters as a curse supposedly hanging over a house with seven gables, the people who live therein, their affairs and destinies. As adapted by Harold Green and prepared for the screen by Lester Cole, no gesturings toward the "spooky" are indulged in. The story is fundamentally mental, though grim, and the plot is worked out in the fine detail. It lays commanding hold on attention and retains it to the end.

Running time, 88 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Completing U.A.'s New Season Plans

(Continued from page 1)

ing of the United Artists board which will be held there this week. He plans to return to New York by the end of the week. Maurice Silverstone, United Artists' chief executive, and Charles Schwartz, Korda's attorney and board member, will return from the Coast later. Lynn Farnol, advertising and publicity director, is expected from the Coast by plane tomorrow.

Among completed United Artists releases are "The Westerner," "Rebecca," "My Son, My Son," "Our Town" and "One Million B.C."

"Rebecca" is scheduled to open at the Music Hall March 28 and will be followed there by "My Son, My Son." "Our Town" also will have its New York premiere at the Music Hall. "House Across the Bay" will have its first run here at Loew's State, with a minimum booking of two weeks starting March 21.

$9,404,800 Spent On Columbia Films

(Continued from page 1)

dition, listed production costs for the seasons of 1928-29 through 1936-37.

Columbia maintained in its answers that it is an independent producer and distributor and has been since its organization in 1924. The company employs 1,200 persons in production and 1,050 in distribution, according to the replies.

Answers also stated that Columbia has a fixed outstanding indebtedness of $1,250,000 in the form of a six-year sinking fund indenture which is being retired at $250,000 yearly.

Examination before trial of Gradwell L. Sears, vice-president of Warner Brothers in charge of sales, will be conducted today. Sears was to testify yesterday but his examination was postponed.

Leases Filmarte

Esperia Film Distributing Co., distributor of Italian-made films, has leased the Filmarte Theatre, W. 58th St., foreign picture house, and will soon reopen the theatre with "The Life of Giuseppe Verdi." The theatre has been closed for some time.

Spotty Week-End For N. Y. Grosses

(Continued from page 1)

Husbands" with stage show, garnered an estimated $59,500 for the first four days with $77,000 indicated for the week. "Three Cheers for the Irish" with Johnny McGee's band and Morton Downey on the stage at the Strand drew an estimated $15,500 for the weekend. The Astor continued at capacity for the 12th week of "Gone With the Wind" for an estimated $22,000 on the chapter.

"Pinocchio," in its fifth week at the Center, should bring an estimated $27,000. The first week of "Castle on the Hudson" took an estimated $12,000, unusually high for the house, and is being held over. "The Marines" Fly High" grossed an estimated $7,200 at the Rialto and was replaced Saturday by "Double Alibi."

New films opening on Broadway this week include "Road to Singapore" with Tommy Dorsey's band on the stage at the Paramount set for tomorrow, "Young Tom Edison" at the Music Hall Thursday, and "My Little Chickadee" at the Roxy Friday. "The Earl of Chicago" bows at the Criterion on Thursday.

'Wind' Subsequents To St. Louis March 28

First subsequent runs of "Gone With the Wind" other than in New York have been set for St. Louis, where the film will open March 28 at the downtown Empress and uptown Esquire. The film recently completed a six-week run at Loew's State in St. Louis.

The picture will play four groups of Loew neighborhood houses in Greater New York, starting at the Paradise and Valencia March 21, with other openings scheduled March 28, April 4 and April 11.

Fidler to State's Stage

Jimmie Fidler, Hollywood news commentator, whose radio contract on CBS expires April 23, will start a personal appearance engagement at the State on Thursday. The supporting company includes Helen Mack, Olympe Bradna, Edith Fellows, Michael Whalen, Peter Lind Hayes and Mary Healy.

France Plans New Rules on Remittances

(Continued from page 1)

during recent years, American distributors are seriously concerned over France's indicated intention of using 1937-'38 withdrawals as the basis [illegible] the forthcoming regulations. Distributors, it is believed, will endeavor to have 1936 withdrawals, which were good by comparison with those for the two subsequent years, accepted as a basis instead.

Foreign department officials point out that France has accounted for only slightly more than $2,000,000 annually of foreign revenue during recent years, whereas formerly withdrawals were about twice that amount.

To pick two low years as the basis for future withdrawals and then authorize only a percentage of that average for remittance to this country would affect some companies so seriously that they might be forced to discontinue business in France entirely, it was said.

Taxes, print and labor costs and decreasing film rentals account for the decline in business with France, it was said. The decline has reached such proportions that some companies believe their 1939 operations in France resulted in a loss.

Hays Cites Gains In Picture Quality

(Continued from page 1)

the current run of high-grade pictures as a Swiss watch is an accident," Hays said.

"The producers are facing the job of turning millions of casual moviegoers into steady patrons. Pictures that are good entertainment are the best way to do the job."

Hays said that far from marking a peak, the pictures which are being acclaimed today are part of a steady upward progression in quality that has been under way more than a year.

Four Companies Formed

ALBANY, March 11.—Four motion picture firms have been incorporated here, all of New York City. They are: Recreation, Inc., by David H. Jackman. John E. Cosgrove and Edwin E. Lindgren; Mozart Films, Inc., by Peter A. Lewis, Florence Abramson, and Josephine Langfelder; Ruth Amusement Corp., by Frank Schwartz, Bela Spiegel and Herman H. Danowit, and Todo Picture Corp., by Robert Morris, Barnett M. Kaplan and Solomon Granett.

Rites for John Meador

Funeral services for John Meador, 54, former publicity executive with the old Metro company, were held yesterday at the McGrath Funeral Parlor in Bronxville, N. Y. Meador died at the Roosevelt Hospital after a long illness. The body was cremated at Ardsley, N. Y.

Walter Logan Dies

CLEVELAND, March 11.—Walter Logan, music director here for NBC, and associated with WTAM for 17 years, died today of a heart ailment.

● High intensity projection light at a power consumption of approximately ONE KILOWATT at the arc is no longer a dream. New projection lamps, both AC and DC, are now on the market which make this dream a reality.

These latest developments in projection light equipment give the small theatre, with screens up to 18 foot width, an economical source of *snow white* projection light, a high level of screen illumination and perfect color projection.

ASK YOUR DEALER TO SHOW YOU THESE NEW LAMPS

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33 New Films Are in Work In Hollywood

HOLLYWOOD, March 11.—Thirty-three pictures were before the cameras this week, M-G-M leading the parade with nine films shooting. Six were started and nine finished. Twenty are being prepared and 60 are being edited.

The tally by studios:

Columbia

Finished—"The Man Who Would Not Die."

Started—"Dead Man Isle."

M-G-M

Finished—"Dr. Kildare's Girl," "And One Was Beautiful."

In Work—"Two Girls on Broadway," "Edison the Man," "Waterloo Bridge," "Pride and Prejudice," "The Mortal Storm," "20 Mule Team," "Susan and God," "Andy Hardy Meets a Debutante."

Started—"Boom Town."

Monogram

Finished—"Son of the Navy," untitled "Renfrew," western.

Started—"Tom Boy."

Paramount

In Work—"Destiny," "The Ghost Breakers," an untitled Henry Aldrich picture.

Started—"Northwest Mounted Police."

RKO

In Work—"Tom Brown's School Days," "Saint Takes Over."

Republic

In Work—"Grandpa Goes to Town," "Young Buffalo Bill," "In Old Missouri."

Started—"Women in War."

Hal Roach

In Work—"Turnabout."

Edward Small

In Work—"South of Pago Pago."

20th Century-Fox

In Work—"Lillian Russell," "Maryland," "Rogue of the Rio Grande."

Universal

Finished—"La Conga Nights."

In Work—"Sandy Is a Lady," "If I Had My Way."

Started—"I Can't Give You Anything But Love, Baby."

Warners

Finished—"An Angel from Texas."

In Work—"The Sea Hawk," "All This and Heaven, Too," "Torrid Zone," "Flight Eight."

Two Fined Heavily For Running Bingo

HARRISBURG, Pa., March 11.—Two defendants in Dauphin County Court today on charges involving the operation of Bingo, were fined $150 each and directed to pay costs.

This is the first sentence in the local court on the operation of Bingo and followed the first arrests in that connection ever made in the county. Defendants were Frank P. Bacastow, owner of the premises about 10 miles east of this city, where the games were played, and Enos Floyd, Rheems, who operated the games. Twenty-five children were among the 50 players around the boards when a raid was made Feb. 14.

Gracie Allen's Publicity Stunt May Result in Film

HOLLYWOOD, March 11.—Hollywood has been full of publicity stunts since its inception. Some of them have been good, others not so good. But one under way at present is growing like a proverbial snowball, and may result in being the plot of a motion picture.

Some weeks ago, GRACIE ALLEN met with her publicity agents, Tom Fizdale, Inc., HAL RORKE, western publicity director for CBS, and other advisors, to work up a "stunt." They, in collaboration, decided that she should make a campaign for the United States' presidency.

Since then, she has appeared on almost every major NBC and CBS program, in addition to her weekly stint with GEORGE BURNS on CBS' Hinds Honey and Almond Cream show, plugging her candidacy. Fan mail grew, public interest grew and now it is reported—authoritatively, and not by her press agents—that several studios are interested in the idea as the theme for a picture starring her.

Twentieth Century-Fox has begun preparations for the remake of a picture that in 1922 took one year to make—"Down to the Sea in Ships," whaling film which brought CLARA BOW into the limelight. The film is on the 1940-'41 schedule as a high budget production and DARRYL F. ZANUCK already has FRED SERSEN, co-winner of the Academy special effects award, taking background scenes on location at Monterey.

Other news from 20th Century-Fox is that portions of SHIRLEY TEMPLE'S earlier films will be used in her current vehicle, "The Young People," but it will not be a cavalcade of her screen career, as previously reported by columnists. MISS TEMPLE will play the role of a youngster in vaudeville, born to vaudeville artists. The song and dance numbers of her previous films will be utilized to show her in the process of "growing up" as a performer to her present age. JACK OAKIE, CHARLOTTE GREENWOOD and ARLEEN WHELAN have the leading adult roles.

WALTER WANGER'S film, "Personal History," inspired by VINCENT SHEEAN'S non-fiction best seller, will give screenplay credit to six writers—JAMES HILTON, CHARLES BENNETT, ROBERT BENCHLEY, ALFRED HITCHCOCK, JOAN HARRISON and ALMA REVILLE, an unprecedented number. However, changes may be made in the final listing for the main leader. "Personal History" is to start shooting next week with JOEL McCREA topping the cast. Shooting on "The Long Voyage Home," to be made for Wanger by Argosy Productions (JOHN FORD and DUDLEY NICHOLS) will start about April 15. It is adapted from a series of one-act plays by EUGENE O'NEILL, JOHN WAYNE and THOMAS MITCHELL will get top roles.

ARTURO GODOY, who traded blows with JOE LOUIS for 15 rounds, and his wife, LEDDA, have been signed by Republic to appear in the currently shooting Higgins Family picture, "Grandpa Goes to Town." GODOY and MAXIE ROSENBLOOM will do a cinematic boxing exhibition.

Theatre Donated During Holy Week

Providence, March 11.—The RKO-Albee here has donated its facilities during Holy Week to the Rhode Island Council of Churches each day from 9 to 11 A. M. for the screening of Cecil B. DeMille's "The King of Kings," reissued with sound accompaniment. No admission will be charged.

Nick and Weston Seeking New Trial

ST. LOUIS, March 11.—A motion for a new trial has been filed by John P. Nick and Clyde A. Weston in the suit in which Judge Ernest F. Oakley ousted them from control of the operators' union, Local 143, permanently enjoined them from interfering with its management, rendered a money judgment requiring them to account for union funds and appointed two permanent receivers for the local.

The case in which Nick and Weston were charged with extorting $6,500 from theatre owners in 1937 has been continued until the April term of the Circuit court. The continuance was granted because of Weston's illness of a heart ailment and the desire to clear first a contempt citation against the St. Louis *Post-Dispatch* in connection with the dismissal of the $10,000 extortion charge against Edward M. Brady.

Indiana ATO Hits 16mm. Competition

It is the responsibility of the producers to see that no feature pictures, either 35mm. or 16mm. be made available to non-theatrical accounts operating in competition with established motion picture theatres, the Associated Theatre Owners of Indiana, Inc., declares in a bulletin.

The statement, issued over the signature of Don R. Rosister, executive secretary, maintains that the 16mm. operator is delivering to the public without admission charges entertainment upon which the theatre owner must depend for a living. "For producers to make features available to 16mm. operators, who pay a minimum film rental and exhibit the pictures without admission charge, is totally unfair," the statement said.

Six New Films Win Legion Approval

National Legion of Decency has approved six of the seven films reviewed and classified for the current week, four for general patronage and two for adults. One film was rated objectionable in part. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "The Ghost Comes Home," "The House of Seven Gables," "Little Miss Molly," "Shooting High." Class A-2, Unobjectionable for Adults: "They Came by Night," "Virginia City." Class B, Objectionable in Part: "The Baker's Wife."

Variety Guild Increases Its Union Powe

American Guild of Variety Artis has further consolidated unio strength behind its organization drive in motion picture presen[illegible] houses, vaudeville circuits and [illegible] clubs by joining the Theatrical Trade Council. In addition, later this wee it will submit a proposal to th Brother Artists Association, union o performers in the burlesque fiel under which B.A.A. will be dissolve and its members will join A.G.V.A

A.G.V.A. received assurances fro other unions in the Theatrical Trade Council that they would support th vaudeville union in all negotiation Hoyt S. Haddock, A.G.V.A. executiv secretary declared. Unions whic compose the council include Operators Union Local 306, Studio Mechanics Local 52, Cameramen's Unio Local 644, Musicians Local 80 Stagehands Local 1 and 4, Sceni Artists and Theatrical Teamster None of the other actor branches o the Associated Actors and Artistes o America is a member of the Counci

A.G.V.A. is scheduled to start negotiations with Broadway film presentations houses this week. There hav been several preliminary discussions The support of the mechanical union should aid these negotiations materially, Haddock said.

The move to have B.A.A. drop it identity and join A.G.V.A. is mad in the interests of greater unionization of the burlesque field, unio sources declared. It was pointed ou that B.A.A. has obtained favorabl contracts in the metropolitan are only but that such organization coul be extended nationally by A.G.V.A

A.G.V.A. has obtained 10 contract covering performers with traveling carnivals, it was disclosed. Thes include the Greater Exposition Shows Hennies Bros., Beckman & Gerety Royal American, Fairly & Little Rubin & Cheny Exposition, Gol Medal Show, The Mighty Sheesle Midway, Sol's Liberty Shows, an Dodson & Baillie's Worlds Fai Shows.

Late Flashes

LOUISVILLE, March 11.—Efforts t bring the annual convention of th Motion Picture Operators and th State Employes International unio here were dropped definitely today Alexander Jeffery, State Federatio of Labor president, said today.

HOLLYWOOD, March 11.—The Screen Actors Guild tonight notified the Central Labor Council of Los Angeles of its decision to reaffiliate with that group from which it had withdrawn December 12, 1939.

HOLLYWOOD, March 11.—New coin-operated film projectors will end the domination of automatic phonographs in taverns and similar outlets, Henry Henigson, James Roosevelt's associate producer, said today upon his return from Chicago where he conferred with Mills Novelty Co.

ɪorror Dual Pulls $15,500 Gross in Loop

Chicago, March 11.—"Black Friay," dualled with the "House of the even Gables," drew a strong $15,500 [illegible] Palace. "Grapes of Wrath," ter a slow start, hit a fast stride to ive Chicago Theatre $47,200. "Night Nights" at the State-Lake plus immy Dorsey's band got $16,800 and Castle on the Hudson," at the Garck, did $6,000.

Estimated takings for the week endg March 6-8:

he Light That Failed" (Para.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 4th eek. Gross: $4,500. (Average, $6,000)
rapes of Wrath" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. age: Stage Revue. Gross: $47,200. verage, $32,000)
astle on the Hudson" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. ross: $6,000. (Average, $5,000)
one With the Wind" (M-G-M)
ORIENTAL — (3,200) (75c-$1.10-$1.50) 7 ys, 6th week. 3 shows daily. Gross: 1,000. (Average, $13,000)
lack Friday" (Univ.)
ouse of Seven Gables" (Univ.)
PALACE — (2,500) (35c-55c-75c) 7 days. ross: $15,500. (Average, $12,000)
e Married His Wife" (20th-Fox)
ROOSEVELT — (1,300) (35c-55c-75c) 7 ys. Gross: $10,200. (Average, $11,000)
ights of Nights" (W. B.)
STATE-LAKE — (2,700) (25c-35c-50c) 7 ys. Stage: Jimmy Dorsey and Band. ross: $16,800. (Average, $12,000)
orthwest Passage" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) days, 2nd week. Gross: $16,600. (Avere, $14,000)
one With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50), 7 days, 6th eek, 2 shows daily. Gross: $14,400.

udience Building Drive Succeeding

Based on successful campaigns in ree test cities, the Audience Organition Committee of the League of ew York Theatres and Actors quity decided at a meeting yesterday go forward with their plans for rolling 2,500 members.

Tentative plans for interesting theregoers have been consolidated into e which provides that members who posit $5 may reserve tickets by teleone. Members who do not make e deposit will be permitted to make servations by telephone also, but ill be required to pick up the tickets fixed number of days before the perrmance.

The campaigns in Scarsdale, White ains and Bronxville provided for a neral meeting of those interested in e movement. Unsatisfactory results to the abandonment of this phase t a high response to a request for ail ballots led the committee to conue with a direct mail campaign.

About 250 persons have expressed interest in joining the Playgoers, the new organization will be called.

Plays in Providence

Providence, March 11.—Antonio omano, local film exhibitor who also lds the legitimate franchise for rovidence, has booked two world emieres of new stage plays for the layhouse. Alfred Lunt and Lynn ontanne will appear here March 29- in Robert E. Sherwood's new play, Revelation," and on April 12-13 eorge M. Cohan returns to his old me town to open "The Return of e Vagabond," a sequel to Cohan's he Tavern."

Hollywood Review

"A Bill of Divorcement"

(RKO)

Hollywood, March 11.—The problem of inherited insanity is handled with consummate grace and skill in this latest rendition of Clemence Dane's stage play to be brought to the screen.

Maureen O'Hara further established her abilities as the daughter who sacrifices her love because of the mental taint in her family, a role previously enacted by Katherine Hepburn, in 1932, and by Constance Binney 10 years prior to that. The girl's father, whose unexpected return from an asylum causes her realization that he is insane rather than suffering merely from shell-shock, is portrayed by Adolphe Menjou with finesse and understanding, John Barrymore having had the part in the earlier RKO version.

Fay Bainter is seen as the girl's mother, for whom is sacrificed the younger woman's marriage in order that the other may marry the man she loves, her lover being enacted by Herbert Marshall. Completing the major characterizations is that of Dame May Whitty as the tyrannical aunt.

Confining the action almost completely to the interior of the family's English home, producer Robert Sisk and director John Farrow have accented subtly the underlying bleakness of the story, with Dalton Trumbo's screenplay bearing the same emphasis. Lee Marcus was executive producer.

Running time, 73 minutes. "A"

Walter Selden

**"A" denotes adult classification.*

Producers Accused By NLRB's Report

Washington, March 11.—Prompt action will be taken on the report filed over the weekend by Trial Examiner J. J. FitzPatrick recommending that eight motion picture producers be required to cease interfering with the right of their employes to self-organization and that seven of them abandon the contract with screen playwrights, Inc., it was said at the National Labor Relations Board today.

The report, summing up the investigation and hearings held in Los Angeles last August, charged Universal, Selznick International, 20th Century-Fox, Loew's, Inc., Warner Brothers, RKO, Columbia and Paramount with interfering with and maligning their writers' activity in the Screen Writers Guild. The companies had contracts with Screen Playwrights, formed, it was alleged, as a result of the producers' efforts to break up the Guild.

The N. L. R. B. certified the Guild as the bargaining representative of the writers in August, 1938, but its efforts to bring about a peaceful solution of the controversy were futile and several attempts to negotiate a settlement proved unsuccessful.

English Company To Distribute Here

Albany, March 11.—Pinebrook, Limited, the English producing company, has filed a designation with the Secretary of State for permission to do business in this state. Pinebrook is chartered to conduct a "cinematograph, television films and motion picture business." Spencer M. Reis is named as a director and M. L. Axworthy as secretary.

At the offices of Fitelson & Mayers, attorneys for Pinebrook, it was said that the company intended to distribute films here and that the filing was a necessary preliminary step. Although there are no definite plans at present, an announcement will be made in the near future, it was said.

Walsh Moving Office

George Walsh, operator of Paramount Wometco theatres up-state, will move his headquarters to the Paramount home office from Poughkeepsie in the near future. The move is said to be only for increased convenience and efficiency in buying and booking, which is conducted with exchanges here.

'Wrath' Gets $44,500 at 3 L.A. Houses

Los Angeles, March 11.—"Grapes of Wrath," in a first week at the 4 Star, Chinese and Loew's State, grossed a total of $44,500: $14,500 at the Chinese, $9,000 at the 4 Star and $21,000 at Loew's State. It will continue at the 4 Star but be replaced after one week at the other two.

Estimated takings for the week ending March 6:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days. 10th week. Gross: $16,500. (Average, $17,000)
"Grapes of Wrath" (20th-Fox)
CHINESE—(2,500) 30c-75c) 7 days. Gross: $14,500. (Average, $12,500)
"Grapes of Wrath" (20th-Fox)
4 STAR—(900) (30c-55c) 7 days. Gross: $9,000. (Average, $3,250)
"Pinocchio" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 4th week. Gross: $7,500. (Average, $6,500)
"Grapes of Wrath" (20th-Fox)
LOEW'S STATE — (2,500) (30c-75c) 7 days. Gross: $21,000. (Average, $14,000)
"Pinocchio" (RKO)
PANTAGES—(3,000) (30c-65c) 7 days, 4th week. Gross: $7,500. (Average, $7,000)
"Adventure in Diamonds" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Jimmy Lunceford and his orchestra. Gross: $14,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 10th week. Gross: $18,000.
"Dr. Ehrlich's Magic Bullet" (W. B)
"Blondie on a Budget" (Col.)
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $12,500. (Average, $14,000)
"Dr. Ehrlich's Magic Bullet" (W. B)
"Blondie on a Budget" (Col.)
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $11,600. (Average, $12,000)

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"She's crazy! She can't do that to us. If she shoots her mouth off, it means twenty years for all of us."

17 Television Stations Now In Operation

Seventeen television stations are now in operation in the country. Two are broadcasting regularly and the others are experimenting with new types of transmission. Three portable stations are attached to those now operating and two additional stations have obtained construction permits.

Applications are on file with the F.C.C. for licenses to build 22 new stations and two new portable units, a checkup revealed yesterday.

W2XBS, an NBC station in New York, and W6XOA, Los Angeles station of the Don Lee network, are the only stations operating on regular program schedules.

Under the recent F.C.C. ruling, a re-allocation of licenses will be required in the near future. Class 1 stations will not be permitted to take advantage of the Commission's limited commercialization ruling while Class 2 stations will have that privilege. Class 2 stations will be required to telecast a minimum of 10 hours of programs weekly.

The RCA station in Camden, W3XEP; has the highest power assigned to it among the stations, 30,000 watts for both the visual and aural signal. W2XBS (NBC) is next with 12,000 watts. Philco Radio & Television, W3XE, Philadelphia, is third with 10,000, and W2XAB, New York (CBS) is fourth with 7,500.

Additional facilities to existing licensed stations are being sought by Don Lee for the erection of a 1,000 watt station in San Francisco; by the Allen B. DuMont Laboratories for 1,000 watt stations in New York City and Washington; by General Electric for the re-instatement of W2XD, in Schenectady with 40 watts, and CBS and NBC are seeking additional licenses for portable units in New York.

The list of applicants with station locations and power requested follows:

Don Lee, San Francisco, 1,000 watts: Milwaukee *Journal,* Milwaukee, 1,000 watts; Crosley Corp., Cincinnati, 1,000 watts; Kansas State College of Agriculture and Applied Science, Manhattan, Kansas, 100 watts; Earle C. Anthony, Inc., Los Angeles, 1,000 watts; May Department Stores, Los Angeles, 1,000 watts; Allen B. DuMont Laboratories, New York and Washington, 1,000 watts each; Television Productions, Inc., Los Angeles, 1,000 watts; Leroy's Jewelers, Los Angeles, 1,000 watts; Travelers Broadcasting Service, Avon, Conn., 1,000 watts.

Also, Metropolitan Television, New York, 1,000 watts; Midland Broadcasting, Kansas City, 1,000 watts; Bamberger Broadcasting Service, New York, 1,000 watts; Grant Union High School District, North Sacramento, Cal., 1,000 watts! WDRC, Inc., Meriden, Conn., 1,000 watts; R. B. Eaton, Des Moines, 100 watts; CBS, New York, portable unit, 25 watts; WCAU Broadcasting, Philadelphia, 1,000 watts; Farnsworth Television and Radio Corp., Fort Wayne, Ind., 1.000 watts! Balaban & Katz, Chicago, 1,000 watts; NBC, New York, portable unit, 15 watts, with two channels; General Electric Co., Schenectady (re-instatement of W2XD), 40 watts; and Boston Edison Co., Boston, 10,000 watts.

Existing stations and their affiliations follow:

W2XAB, New York, CBS, two channels, 7,500 watts; W6XAO, Los Angeles, Don Lee, two channels with a construction permit for a third, 1,000 watts; W6XDU, a Don Lee portable unit; W2XVT, Passaic, N. J., Allen B. DuMont Laboratories, 50 watts, with a construction permit for W10XKT, a portable unit; W9XAL, Kansas City, First National Television, two channels, **300 watts;** W1XG, Boston, General Television Corp., with two channels, 500; the following General Electric stations, W2XH, Schenectady, 40 watts; W2XB, Albany, 10,000 watts; W2XI, New Scotland, New York, 10 watts; and a construction permit for W1XA, Bridgeport, 10,000 watts.

Also W2XBS, New York, NBC, with two channels, 12,000 watts and W2XBT, a portable unit; W3XE, Philadelphia, Philco, with two channels, 10,000 watts, and W3XP, 15 watts; W9XG, West Lafayette, Ind., Purdue University, 1,500 watts; W2XDR, New York, Radio Pictures, Inc., an affiliate of WQXR, with two channels, 1,000 watts; W3XEP, Camden, N. J., RCA, with two channels, 30,000 watts, and W3XAD, a portable unit; W9XK, Iowa City, Iowa, University of Iowa, 100 watts and W9XUI, also owned by the University, with two channels, 100 watts; and W9XZV, Chicago, Zenith Radio, with two channels, 1,000 watts.

Television Idea Century Old; First Picture Sent in 1906

Television, unlike many fields of scientific endeavor, was conceived long before it could possibly be accomplished.

This fact is pointed out in a new brochure prepared by the RCA Manufacturing Co., called "Television," in which is described with comparative simplicity what television is and how it works.

"The basic methods of providing sight-at-a-distance were deliberately sought by inventors," the booklet points out, "some of whom arrived at the solutions for the problems long before the means existed for carrying out their ideas."

The booklet cites the following dates, each a step in the development of television:

1847—Bakewell proposed the "copying telegraph," using scanning.

1873—May discovered photo-electric properties of selenium and attempted to use it for picture transmission.

1875—Carey proposed bank of selenium cells and lamps for breaking up pictures and sending elements over wires.

1884—Nipkow proposed the rotating hole disc for scanning and reproducing.

1890—Elster and Geitel invented the photo-electric cell.

1906—Rignoux and Fournier sent a crude picture over wires.

1907—DeForest invented the vacuum tube amplifier.

1907—Rosing and Campbell Swinton proposed the cathode ray tube for television.

1909—Knudson sent a drawing by radio.

1923—Jenkins and Baird transmitted silhouettes by wire.

The decade from 1928 to 1938 was devoted to the more recent phases of television development, starting with the establishment of the RCA television laboratory in 1928, coordinating work of General Electric and Westinghouse.

In 1938, it is explained, was put into use television field pickup equipment, and commercial type television station equipment was made available.

To Redeem Stock

DOVER, Del., March 11.—Notice of redemption of preferred stock of Principal Theatres Corp., a Delaware corporation with offices at Los Angeles, has been filed with the secretary of state here by E. H. Messer, secretary.

Start Weekly Vaudeville

NEW HAVEN, March 11.—The Bijou, Loew-Poli subsequent run house here, has started regular weekly vaudeville, the only house here using stage shows regularly.

Election of Mears As CEA President Scheduled Today

LONDON, March 11.—Harry P. E. Mears, vice-president, is expected to be elected president of the Cinematograph Exhibitors Association at the annual general meeting of the C.E.A. tomorrow. Mears will succeed E. J. Hinge.

Sidney K. Lewis, at present delegate from the Birmingham and Midlands Branch, independent operating the Victory at Loughborough, will be elected vice-president, succeeding Mears.

The only major subject scheduled for discussion involves wartime procedure and a proposal to enlarge the executive committee during the war to include three circuit representatives without election. It is expected that independent theatre representatives will raise objections to such a move.

The annual C.E.A. banquet will be held tomorrow evening at Grosvenor House, with Sir John Reith, Minister of Information, scheduled to make the chief address at the banquet.

Grand Jury Urges Price Cut for Youth

MINNEAPOLIS, March 11.—A reduction of the admission prices for youths between 12 and 18 years of age would result in a decrease in juvenile delinquency, according to the Hennepin County Grand Jury, now in session here.

In a letter to Theodore Hays of the Minnesota Amusement Co., the jury requested such prices be cut to 10 cents. Such a program would "eliminate a great deal of Saturday afternoon downtown gang action and materially aid in the policing of the downtown area," the jury said. The present admission here is 10 cents for children under 12 years. Full adult prices are charged for all over 12.

Radio Brevities

BETTE DAVIS has agreed to make a third appearance on the Screen Guild Theatre over CBS. She and James Cagney, who was recently heard on the program for the third time, are the only S.A.G. members who have contributed their servi[illegible] three occasions. Performers ar[illegible] paid, all funds received going to the Motion Picture Relief Fund.

Commentators Honored

Three commentators have been honored by the New York State Board of the Woman's International League for Peace and Freedom for fair presentation of war news—Elmer Davis, of CBS, Raymond Gram Swing, of Mutual, and Quincy Howe, of WQXR.

Personalities in the News

David S. Little, formerly in charge of aviation activities for RCA Manufacturing, has joined American Airlines as a radio engineer. . . . Grif Thompson, sales manager of KYW Philadelphia, came to town yesterday . . . Bennie Krueger was named conductor of the WOR studio orchestr yesterday. . . . Theresa Helburn, director of the Theatre Guild, will b Ilka Chase's guest on "Luncheon a the Waldorf" over NBC-Blue at 1:3 Saturday.

Hockey Broadcast from Boston

Capitalizing on the closeness o the current hockey league race WHN which broadcasts the games from Madison Square Garden only will carry the game between the Rangers and Bruins from Boston tonight.

Program News

Sylvia Altschuler started a new record series over WHN last night at 11:30. The show will be sold i quarter-hours strips. Mission Bel will sponsor seven quarter-hour weekly. Incidentally, Mission Bel yesterday signed for 25 quarter-hour weekly over WHN for the next 2 weeks. . . . Texaco has renewed th "Star Theatre" for an additional 1 weeks. It will continue at the ful hour length, being one of the few variety shows to continue at tha length.

Two More NBC Stations

Two new stations will affiliate themselves with NBC this month, network officials announced yesterday. O March 15, KYUM, Yuma, Ariz., operated by the Yuma Broadcasting Co of which John H. Huber is president will join. KYUM has 250 watts, day and 100 watts, night, and is heard o 1,210 k.c. The other station, WFMJ Youngstown, O., operated by William F. Maag, Jr., on 1,420 k.c., with 25 watts, full time, joins on March 2

Aid for Metropolitan Opera

In a tieup between the Metropolitan Opera and Warner Bros., old handbills and programs used during the appearance of famous opera singers at Piper's Opera House in Virginia City, Nevada, will be auctioned on Saturday at Virginia City in connection with the premiere of the Warner film. Proceeds of the sale wil go to the Met as a contribution to the $1,000,000 for which it is campaigning.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible]. 47. NO. 51 NEW YORK, U. S. A., WEDNESDAY, MARCH 13, 1940 TEN CENTS

Exhibitor Free As Court Voids Guilt of Lottery

First Conviction in Local Area Is Defeated

Special Sessions Court in Brooklyn yesterday voided the conviction of James May, former manager of the Atlantic Theatre, Brooklyn, on charges of operating a lottery at the theatre, and acquitted him.

May was fined $500 and sentenced to 30 days in jail last July after a hearing in Special Sessions in which Judge Bayes found that the manner in which Screeno was conducted was a lottery. The conviction was appealed to the Supreme Court Appellate Division and remanded for a new trial.

This was the first conviction of its kind in Greater New York. Subsequently the Century Circuit announced that it was dropping chance games because the ruling made its managers liable. The Atlantic, which has closed since, was operated by Herman Eisenstadt.

Melvin Albert of Weisman, Celler, Quinn, Allan & Spett, I.T.O.A. counsel, told the court that under a N. Y. Court of Appeals decision in 1937, chance games are legal as long as the patrons are eligible for awards even though they do not pay admission.

90 Writers to Cover 'Virginia City' Show

Ninety press representatives, coming from the East, Midwest and Pacific Coast, will attend the world premiere of Warners' "Virginia City" at Reno and nearby Virginia City, Nev., on Saturday.

The New York contingent leaves on pecial cars this afternoon, meeting he Midwest group en route, and the Hollywood special train will leave the Coast on Friday. Warner home office xecutives, headed by Mort Blumenstock, director of advertising and pubicity in the East, also will be on the New York train.

In addition to Hollywood stars and executives, the guests will include representatives of the trade and daily press, syndicate columnists and radio reporters.

Film Players Donate Ambulance for Finns

An ambulance, with crew of five, financed by Hollywood film players, is scheduled to sail from here for Finland on March 22.

Hays Cites Growth Of Self-Regulation By Film Industry

In the past 18 years the film industry has endeavored "to build up a successful system of self-regulation with the least possible Government regulation," Will H. Hays said last night in addressing students of engineering at Princeton University.

"The industry has stood ready to cooperate and has cooperated with public authority in every way, endeavoring always to maintain that proper relation which a great industry should maintain to its Government," Hays said.

Reciting industry statistics, the M. P. P. D. A. president told his audience that one-ninth of the world's population goes to motion picture theatres weekly; that the 17,000 theatres in more than 9,000 cities and towns in the United States pay some $150,000,000 for rent, insurance, taxes and interest, and some $50,000,000 for light and heat.

He estimated that 65 per cent of the total receipts of these theatres remains in their individual communities.

Hays said the industry employs about 300,000 workers at an annual payroll of $369,000,000; has a capital investment of $1,888,000,000 in theatres, $100,000,000 in studios and $20,000,000 in distribution facilities. It has an annual Federal tax bill of $100,000,000 and spends $80,000,000 annually for advertising, he said.

Tin Can Admission In Cleanup of City

Shreveport, La., March 12.—All suburban houses of Shreveport are joining in the citywide cleanup campaign the week of March 23 by offering free admissions to all persons bringing a score of old tin cans collected in the drive. The cleanup is sponsored by the Chamber of Commerce and will be the opening event of the campaign.

New Effort to Settle Warner Strike Fails

PHILADELPHIA, March 12.—The latest attempt to settle the music strike in its fourth month against Warners Theatres here has again blown up, it was indicated today by Anthony Luizzi and A. Rex Riccardi, president and secretary, respectively, of the Philadelphia Musicians' Union, on their return today from Miami where Conferences were held over the weekend with Joseph N. Weber, A.F.M. president; Frank Phelps in charge of Warner labor relations, and Ted Schlanger, Warner circuit head here.

Warners held to their original demands for the employment of musicians at the Earle Theatre here and for Sundays at the Stanley Theatre in Camden, N. J.

U.S. Questions Sears, Calls Skouras and Schenck Next

Gradwell L. Sears, vice-president of Warner Brothers in charge of sales, described his company's distribution policies at a pre-trial examination yesterday in the New York anti-trust suit. Sears will continue his testimony today.

Spyros Skouras, head of National Theatres, is slated to testify on March 18 with Joseph M. Schenck, chairman of the board of directors of Twentieth-Century Fox, following him. Y. Frank Freeman, vice-president of Paramount, will take the stand on March 20.

Sears claimed that his production company never discussed with affiliated theatre companies the terms upon which pictures were licensed to competing theatres. He added that Warners had no regular method of handling complaints on clearance made by exhibitors.

In distributing films and determining runs, it did not make the "slightest difference" whether or not the customer was affiliated with a major company, Sears declared. Generally, in choosing theatres for first run showing, Warners was guided by the thought that it must secure the best possible return for its films, he said.

The examination was enlivened by a stream of objections to questions interposed by attorneys for the majors. A number of questions on the general policy of Warners, asked of Sears by Special Assistant Attorney General Robert L. Wright, were termed "vague and ambiguous" by objecting attorneys.

R. W. Perkins, counsel for Warners, at one point in the examination, complained that the Government is attempting to apply inflexible rules to a highly complex method of doing business.

Relay System Of Television Ready by '41

Manufacturers Launching Big Sales Campaign

Radio Corporation of America expects to complete construction of its new television relay system to Philadelphia before the end of 1940, it was announced yesterday by David Sarnoff, president.

This will be the first relay system which will have booster stations every 30 miles. In Schenectady at the present time there is a pickup, or rebroadcast system, which differs from the relay system.

At the same time, RCA Manufacturing Co. announced a drive to sell $8,000,000 in home receivers to the public in the metropolitan New York area, increasing the number of sets in use from 1,500-2,000, the present estimate, to about 25,000 sets.

Alfred H. Morton, vice-president in charge of television for NBC, announced an extension of programs over W2XBS by gradually increasing the number of hours used for telecasting and improving the quality by including top-notch radio shows over television.

Principal factor in the sales cam-

(*Continued on page 8*)

Hudson Gets United Detroit Presidency

Earl J. Hudson, operator of United Detroit Theatres for the past 10 months, yesterday was named president of the Paramount Detroit theatre subsidiary by Barney Balaban, Paramount president.

In addition to his new post, Hudson will continue as general manager in full charge of the Detroit operations. He has served in the latter capacity since the resignation early last Summer of George Trendle, former president and operating head of United Detroit. Prior to that time Hudson was first assistant to Trendle.

Nixon Resigns Over March of Time Ban

TORONTO, March 12.—H. C. Nixon, provincial secretary of the Ontario cabinet, resigned today and gave Premier Hepburn's ban upon the March of Time's "Canada at War" as the reason. Hepburn is calling a meeting of the cabinet to deal with the current political crisis.

Theatres Still Push Finnish Aid Drives

Despite the fact that the Finnish Relief Fund drive for funds in theatres was scheduled Feb. 17 and 18, hundreds of theatres are holding their own drives and setting their own dates, Fund headquarters stated yesterday.

The Fund has been advised by 35 Illinois theatres that they will sponsor lobby collections in the next two weeks. Kentucky exhibitors also will hold their drive this month.

The Massachusetts committee is organizing its drive which will be held in the next few weeks, with Martin Mullin, circuit operator, assisting.

"Finland Fights!", short subject produced by the Fund, has been shown to more than 10,000,000 persons in 615 theatres, according to the Fund.

Wilcox Will Confer Here with Schaefer

Herbert Wilcox, RKO producer, who arrived from the Coast yesterday, will be in the East about a week.

While here he will confer with George J. Schaefer, RKO president, on production plans and with S. Barret McCormick, advertising and publicity director, on campaigns for "Irene," which he completed recently. Wilcox also will visit the British Embassy in Washington to discuss business and personal affairs.

W. E. Dividend Set

At a meeting of the directors of the Western Electric Co. yesterday a dividend of 75 cents per share on the common stock was declared. The dividend is payable March 30 to stock of record on March 25.

Purely Personal

ADOLPH ZUKOR, Paramount board chairman, and JOHN W. HICKS, vice-president and foreign department head, will arrive in New York on the *Uruguay* next Monday after a three months business trip to Central and South America.

•

WILLIAM F. RODGERS, MAX DREYFUS, TOM CONNORS, TED O'SHEA, BOB CRAWFORD, JOSEPH WEINBERG, ERNO RAPEE, HARRY BRANDT, RUSSELL HOLMAN and OWEN DAVIS lunching at Nick's Hunting Room in the Astor yesterday.

•

BORIS KAPLAN, JOSEPH LEE, JOHN GARFIELD, GEORGE DEMBOW, AL ALTMAN, CHARLES WASHBURN, I. E. LOPERT, MORT SPRING, HARRY OSHRIN, ARTHUR LOEW and JOSEPH ROSTHAL at Sardi's for lunch yesterday.

•

NATE SPINGOLD of Columbia is expected back from Palm Beach this weekend. ABE MONTAGUE, Columbia general sales manager, returned from Miami this week.

•

WILLIAM SUSSMAN, 20th Century-Fox Eastern division manager, is conferring at the Philadelphia exchange and will visit the Boston branch.

•

ROBERT T. KANE, in charge of 20th Century-Fox production in England, sails Saturday on the *Rex*. He arrived yesterday from the Coast.

•

CLENDENIN J. RYAN, Commissioner of the New York Department of Commerce, is vacationing in Florida.

•

ROBERT GILLHAM, Paramount advertising and publicity director, will return today from a Florida vacation.

NATHAN E. GOLDSTEIN of Western Massachusetts Theatres, Inc., with headquarters in Springfield, hass returned from a two-week vacation at Hollywood, Fla.

•

LEE GARMES, HARRY THOMAS, TOM LOACH, BOB SAVINI, JOSEPH PLUNKETT, JOSEPH SEIDLEMAN, HARRY GOETZ, BUDD ROGERS and ERN WESTMORE lunching at BOB GOLDSTEIN'S tavern yesterday.

•

JAMES J. GRADY, Cincinnati 20th Century-Fox manager, is the father of a six-and-one-half pound son, their sixth child, born to MRS. GRADY at the Good Samaritan Hospital.

•

BRENDA FORBES, THOMAS MITCHELL and HARRY TIERNEY will be among the guests of honor at the luncheon of the Banshees, newspapermen's club, at the Waldorf-Astoria tomorrow.

•

MRS. BEN GOETZ, wife of the M-G-M production chief in England, and MRS. ROBERT MONTGOMERY sail Saturday on the *Rex* to join their husbands in London.

•

WILLIAM TAYLOR of the Commercial National Bank, New York, and MATTHEW J. FOX, Universal vice-president, will leave for the Coast by train on Friday.

•

LEE GARMES arrived from the Coast yesterday with a print of "Beyond Tomorrow," his first Academy production for RKO release.

•

DON HIGGINS, publicity director of the March of Time, sails today on the *Oriente* for a brief vacation at Havana.

•

HARRY BRANDT, head of the Brandt circuit, will be in Washington Friday.

•

AL GOLD, Movietone News cameraman, has returned from Miami.

•

DAVE CARTER of the RKO home office is in Cincinnati.

Ampa Will Nominate For April 4 Election

An Ampa nominating committee will be elected at a luncheon meeting tomorrow at Dempsey's restaurant. The committee, which will choose a slate of officers for the ensuing year, will report on its selections at a meeting March 21. The elections will take place April 4.

Erpi President Returns

T. Kennedy Stevenson, Erpi president, returned from a three weeks Coast visit yesterday. The trip, he said, was his usual visit to the company's Hollywood office but had been advanced in order to permit him to attend the Awards dinner of the Academy of M. P. Arts and Sciences.

Films Seized in Raid

PHILADELPHIA, March 12.—Police seized more than 100 reels of allegedly obscene films and a projector in a raid late yesterday on a camera supply house in midtown. They arrested Benjamin Malena who was held under $1,500 bail pending a hearing Saturday.

Newsreel Parade

Arrival of Sumner Welles and Myron Taylor in Italy is an important event included in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 53—Crews of *Ajax* and *Exeter* honored in England. Planes downed in England. Allied t[illegible]s at Suez. Ski troops on Finn front. [illegible]sian equipment displayed in Helsinki. Envoys Welles and Taylor arrive in Rome. Archbishop Stritch heads Chicago diocese. Shoe fashions. Yankees in training. Golden Gloves. Bowling in Detroit.

NEWS OF THE DAY, No. 251—London hails sea victors. Troops at Suez. Welles in Rome. Trout season opens in Missouri. Honeymoon Isle in Tampa. Track meet in New York. Bowling tournament. Yanks begin training.

PARAMOUNT NEWS, No. 56—*Queen Elizabeth* arrives. U. S. peace envoys in Italy. Flower show in New York. Kermit Roosevelt quits army in England. Descendant of Kit Carson to fight for Finns. *Graf Spee* victory parade in London. Bowling championships in Detroit. Golden Glove bouts in New York. King and Queen of Honeymoon Island in New York. Newlyweds arrive at Honeymoon Island.

RKO PATHE NEWS, No. 68—Largest liner arrives in New York. Roosevelt celebrates anniversary of A.A.A. Welles and Taylor arrive in Italy. Open Honeymoon Island in Tampa. Bowling tournament in Detroit. K. of C. meet in New York.

UNIVERSAL NEWSREEL, No. 857—Canadian pilots arrive in England. Nazi plane downed in England. Welles and Taylor arrive in Italy. French troops in Africa. New Archbishop of Chicago inducted. Couples arrive at Honeymoon Island. Flower show in New York. Trout season opens in Missouri. Bowling meet in Detroit. Yanks in training. Track meet in New York.

Rites Here Saturday For Phil Lonergan

Funeral services for Phil Lonergan, 52, veteran scenario writer who died of a heart attack in Hollywood last Friday, will take place at St. Malachy's R. C. Church (The Actors' Church), 49th St. West of Broadway, on Saturday at 10 A.M. Burial will be in St. John's Cemetery. A sister, Elizabeth Lonergan, is accompanying the body from Hollywood.

In 1913 Lonergan joined the then famous Thanhauser Co. as scenario editor. He also worked for World Film, Warner Brothers and Distinctive Pictures in New York.

Going to the coast in 1914 he became scenario editor for Reliance-Majestic where he worked with David Griffith. He returned to the Thanhauser Company in 1916, joined Warner Brothers in 1923 and wrote many scenarios.

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Sleep your way over Dixie, plain and desert. Wake up in summertime! Only American flies the smooth, Southern Sunshine Route!

Fly American's

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Overnight to California

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ROUTE OF THE FLAGSHIPS

'Vigil' Milwaukee Winner at $9,300

MILWAUKEE, March 12.—"Vigil in the Night" and "Brother Rat and a Baby" grossed a neat $9,300 at the Warner, while "His Girl Friday," dualed with "The Night of Nights" at Fox's Palace, connected for $6,900 and is being held over. Cab Calloway's band and "Cafe Hostess" collected $9,000 at the Riverside.

Estimated takings for the week end[illegible] March 7:

"His Girl Friday" (Col.)
"The Night of Nights" (Para.)
PALANCE (2,400) (25c-35c-50c) 7 days. Gross: $6,900. (Average, $4,000)

"Cafe Hostess" (Col.)
RIVERSIDE—(2,700) (30c-35c-40c) 7 days. Stage: Cab Calloway. Gross: $9,000. (Average, $6,500)

"The Village Barn Dance" (Rep.)
"My Little Chickadee" (Univ.)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $2,300. (Average, $1,500)

"Vigil in the Night" (RKO)
"Brother Rat and a Baby" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $9,300. (Average, $4,500)

"The Grapes of Wrath" (20th-Fox)
WISCONSIN—(3,200) (35c-40c-60c) 7 days, 2nd week. Gross: $6,000. (Average, $5,500)

Sue Circuit Owner Over Film Licenses

SHREVEPORT, La., March 12.—L. N. Crim, Kilgore, Texas, oilman and exhibitor, has been sued in Tyler, Tex., civil court by three distributors, who ask judgments totaling $42,829, which they charged was an unpaid balance on licenses obtained for houses in north Louisiana which Crim recently sold.

The suits were filed by RKO, Universal and United Artists, which charged that Crim had sold theatres in Shreveport, Alexandria and Minden, known as C. and C. Enterprises "while there were heavy debts still outstanding."

Leases Texas House

LOCKNEY, Texas, March 12.—R. E. Reynolds, who operated the Texas at Big Lake, has leased and reopened the Iris here. The Texas is now operated by H. L. Senteney.

Late Flashes

LOS ANGELES, March 12.—The Los Angeles Central Labor Council last night referred to its executive committee a request of the Screen Actors Guild for reaffiliation with the organization. By a vote of 87 to 86, delegates, after hearing J. W. Buzzell, executive secretary of the council, excoriate the Guild, ordered the matter to its executive committee for a hearing next Friday.

HOLLYWOOD, March 12.—Samuel Becker, song writer, today demanded $30,000 damages from RKO, alleging copyright infringement of his song, "My Boy," in the picture, "Three Sons." The suit was filed in Federal Court.

HOLLYWOOD, March 12.—Paramount today signed Charles Boyer to a two-picture deal. The first will be "The Golden Door," an Arthur Hornblow, Jr., production from an original story by Ketti Frings. It was formerly called "Memo to a Movie Producer." Mitchell Leisen will direct.

Tips On Exploitation

Uses 1872 Newspaper For 'Stanley' Display

TORONTO, March 12. — Manager Grant Garrette of the Geneva Theatre, Orillia, Ont., in his campaign on "Stanley and Livingstone" displayed a copy of the London *Illustrated News* published in 1872. The local newspaper publisher showed it in his office window along with a tieup for the picture. Using a large wood-cut type of illustration from the press book, Garrette distributed heralds among the schoolchildren and offered passes for the 12 best colorings of the picture.

For "At the Circus," Garrette distributed 600 lucky number cards and posted free admission numbers in the lobby for the Saturday matinee; placed two red and yellow barrels in front of the theatre with, "Don't Feed the Animals" signs, stills of the Marx Brothers being fixed inside the barrels behind wire netting; had a headless man walking the streets carrying a sign, "I Laughed My Head Off at the Marx Brothers" and paraded a second man on a cold day wearing a bathing suit, galoshes and fur cap to hand out cards bearing the word "Nuts" in large type on one side and an advertisement for the picture on the reverse.

'Biscuit' Premiere To Get Radio Plug

Paramount has completed arrangements with Ruthrauff & Ryan, Inc., providing for the "Vox Pop" radio program of April 11 to originate in Albany, Ga., as part of the world premiere of "The Biscuit Eater" at the Albany Theatre on that date. Wally Butterworth and Parks Johnson, veteran radio interviewers and conductors of the "Vox Pop" program, will leave New York April 5 for Albany, to complete preparations for presentation of the air show.

New Haven Schools Set 'Lincoln' Contest

NEW HAVEN, March 12. — John Hesse, manager of the Roger Sherman, tied up the entire school system for the first time in this city, on "Abe Lincoln in Illinois." School executives here launched three essay contests on the picture, under the general topic, "A Student Looks at 'Abe Lincoln in Illinois.'"

Patron Review Contest Used on 'Fighting 69th'

PHILADELPHIA, March 12.—In conjunction with the showing of "The Fighting 69th," Stanley Benford, manager of the Colonial, is sponsoring a picture review contest. Patrons are asked to write their own reviews of the picture, and the best essay selected by the newspaper critics comprising the judging board, will be presented a silver loving-cup inscribed with the autographs of Pat O'Brien, George Brent and James Cagney. The contest is open to women only. The next 10 best reviews will receive a pair of guest tickets to the theatre.

Stores Tie in to Plug 'First Love,' Toronto

TORONTO, March 12.—Among features arranged by Manager Tom Mascaro of the Capitol, Belleville, in his campaign for "First Love," the Metropolitan store distributed 1,000 fan photos of Deanna Durbin at the soda fountain, paying half the cost of the photos; a music store featured the song titles from the picture, while a radio store played the ballyhoo recording for a week and a jeweler made a special display with "First Love" silverware.

Diaper Contest on Stage Boosts 'Another Thin Man'

Eight finalists competed on the stage of Loew's State last night in the "grand championship finals in the three-cornered pants contest to select the male diaper champion in Greater New York." Cash prizes were awarded. This stunt was conducted throughout the city by the Loew circuit to boost "Another Thin Man."

'Attack' on Oomph Distresses Nobody

When the Harvard *Lampoon*, student publication, branded Ann Sheridan the actress "must unlikely to succeed," it started something.

The New Jersey legislature yesterday elected her a Daughter of New Jersey, and a Sister of Princeton, and invited her to the Harvard-Princeton game Nov. 2. Radcliffe girls picketed the *Lampoon* office in protest, and the whole thing won front page space in two Boston dailies and the New York *World-Telegram*.

P.S.—Miss Sheridan's next picture, "It All Came True," for Warners, will be ready soon.

U.A. 'Son' Contest Getting Under Way

The United Artists contests on "My Son, My Son," to select the most perfect son, who will be awarded a four-year scholarship at any college in the country, will get under way with the opening of the film in various spots. Participating will be 26 newspapers, whose contests will be conducted for two weeks prior to the opening of the film in each city. The winners of the local contests will compete for the grand prize.

'Light That Failed' $5,000 in St. Louis

ST. LOUIS, March 12.—"Gone With the Wind" made $21,000 in its sixth and final week at Loew's State here. "Abe Lincoln in Illinois" drew $9,500 at the Fox, and "The Light That Failed," dualled with "Little Old New York," took $5,000 at the Missouri.

Estimated takings for the week ending March 7:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (75c-$1.12-$1.50) 7 days. Gross: $21,000. (Average, 25c-40c-55c scale, $13,000)

"Abe Lincoln in Illinois" (RKO)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $9,500. (Average, $11,000)

"Vigil in the Night" (RKO)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $10,800. (Average, $11,500)

"The Light That Failed" (Para.)
"Little Old New York" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,000. (Average, $4,000)

'Ehrlich' Hits Good $6,300, Big in Seattle

SEATTLE, March 12.—"Dr. Ehrlich's Magic Bullet" at the Palomar, with a vaudeville show, drew $6,300, while the dual at the Paramount of "Broadway Melody of 1940" and "Emergency Squad," scored $7,800 at the Paramount. The weather was rainy and mild.

Estimated takings for the week ending March 8:

"Swiss Family Robinson" (RKO)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,200. (Average, $4,000)

"Northwest Passage" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $5,900. (Average, $7,000)

"The Lone Wolf Strikes" (Col.)
"Blondie on a Budget" (Col.)
LIBERTY — (1,800) (25c-40c-55c) 7 days. Gross: $4,700. (Average, $5,000)

"Gone With the Wind" (M-G-M)
MUSIC BOX—(950) (75c-$1.15-$1.50) 7 days, 6th week. Gross: $6,800. (Average, $4,000)

"Double Alibi" (Univ.)
"A Chump at Oxford" (U. A.)
ORPHEUM—(2,450) (25c-40c) 7 days. "French Follies" on stage. Gross: $6,000. (Average, $6,000)

"Dr. Ehrlich's Magic Bullet" (W. B.)
PALOMAR—(1,500) (20c-25c-40c) 7 days. Vaudeville headed by Chilton & Thomas. Gross: $6,300. (Average, $5,000)

"Broadway Melody of 1940" (M-G-M)
"Emergency Squad" (Para.)
PARAMOUNT—(3050) (25c-40c) 7 days. Gross: $7,800. (Average, $6,000)

N. Y., Frisco Fairs Face Closed Shops

Actors Equity council voted yesterday to request the Associated Actors and Artistes of America to take steps immediately to obtain a closed shop at the New York and San Francisco World's Fairs for all performers.

Equity will have jurisdiction over performers in legitimate stage productions while the American Guild of Variety Artists will have jurisdiction over the variety and side shows and spectacles.

The council set March 22 for a special meeting to consider the agency problem.

'Information Please' Wins Magazine Suit

N. Y. Supreme Court Justice Carroll G. Walter yesterday issued an injunction restraining the use of the title "Information Please" in a monthly magazine by Information Publications Corp., Stanley S. Boressoff, Walter Rosett and Shelley Braverman.

The decision, rendered in favor of Daniel and Ann Golenpaul, owners of the radio program, was granted after trial lasting several days. Justice Walter ruled that the wide popularity on the air of "Information Please" precluded use by the defendants.

Orders Gross Records

N. Y. Supreme Court Justice Leary yesterday ordered the RKO Film Booking Corp. to submit its records of gross receipts of theatres, including those of the Palace on Broadway, for the last 10 years, in connection with the suit of H. and S. Sonn against White Plains Hamilton Corp. Suit involves a claim for $200,000 back rent of the RKO theatre in White Plains.

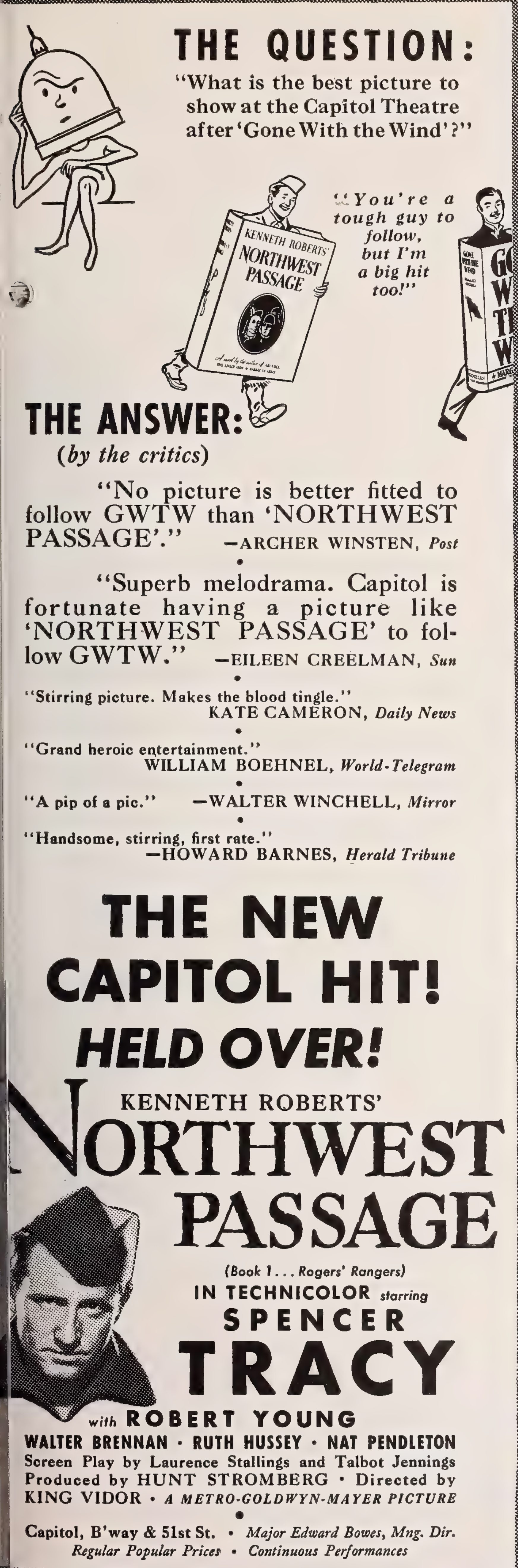
ACTION ON THE SCREEN!

ACTION AT THE BOX-OFFICE!

HELD OVER AT CAPITOL, N. Y.

Biggest Saturday since Personal Appearance Mickey Rooney, Judy Garland
(Except advanced price 'GWTW')

The season's smash hit held over also at Chicago • Harrisburg • Spokane • Worcester • Minneapolis • New Haven • St. Paul • Bridgeport • Portland • Seattle • San Francisco • Philadelphia • Boston (*State & Orpheum Day and Date!*) • Pittsburgh • *More coming!*



THE QUESTION:

"What is the best picture to show at the Capitol Theatre after 'Gone With the Wind'?"

"You're a tough guy to follow, but I'm a big hit too!"

KENNETH ROBERTS' NORTHWEST PASSAGE
GONE WITH THE WIND

THE ANSWER:

(by the critics)

"No picture is better fitted to follow GWTW than 'NORTHWEST PASSAGE'." —ARCHER WINSTEN, *Post*

"Superb melodrama. Capitol is fortunate having a picture like 'NORTHWEST PASSAGE' to follow GWTW." —EILEEN CREELMAN, *Sun*

"Stirring picture. Makes the blood tingle." KATE CAMERON, *Daily News*

"Grand heroic entertainment." WILLIAM BOEHNEL, *World-Telegram*

"A pip of a pic." —WALTER WINCHELL, *Mirror*

"Handsome, stirring, first rate." —HOWARD BARNES, *Herald Tribune*

THE NEW CAPITOL HIT!

HELD OVER!

KENNETH ROBERTS'

NORTHWEST PASSAGE

(Book 1 . . . Rogers' Rangers)

IN TECHNICOLOR *starring*

SPENCER TRACY

with **ROBERT YOUNG**

WALTER BRENNAN · RUTH HUSSEY · NAT PENDLETON

Screen Play by Laurence Stallings and Talbot Jennings
Produced by HUNT STROMBERG · Directed by KING VIDOR · *A METRO-GOLDWYN-MAYER PICTURE*

Capitol, B'way & 51st St. · *Major Edward Bowes, Mng. Dir.*
Regular Popular Prices · Continuous Performances

☞ ACTION IN THE ADS!

(adapt it to your local situation!)

ACTION ON THE PHONE!

"Hello M-G-M! I want plenty of extra time for my engagement of 'Northwest Passage'!"

'Rat' and Heidt Band $19,000, Minneapolis

MINNEAPOLIS, March 12.—Horace Heidt's band on the stage of the Orpheum, with "Brother Rat and a Baby" as the screen attraction, brought a smash $19,000. "Northwest Passage," in its second week at the State, drew $9,500, and in St. Paul, "Raffles" drew $3,700 at the Orpheum.

Estimated takings for the week ending March 8:

Minneapolis

"Northwest Passage" (M-G-M)
STATE — (2,300) (25c-40c) 6 days, 2nd week. Gross: $8,500. (Average, $4,000)
"Brother Rat and Baby" (W. B.)
ORPHEUM—(2,900) (35c-40c-55c) 7 days. Horace Heidt on stage. Gross: $19,000. (Average, $4,400)
"Gone With the Wind" (M-G-M)
CENTURY—(1,000) (75c-$1.10) 7 days, 5th week. Gross: $15,000. (Average, $4,000)
"Geronimo" (Para.)
GOPHER—(900) (25c) 8 days. Gross: $4,200. (Average, $3,400)
"Cisco Kid and the Lady" (20th-Fox)
"Married and in Love" (RKO)
ASTER—(900) (15c-25c) 5 days. Gross: $1,400. (Average, $1,500)
"We Are Not Alone" (W B.)
WORLD—(400) (25c-40c) 7 days, 2nd week. Gross: $1,900. (Average, $1,100)
"Lion Has Wings" (U. A.)
ESQUIRE—(25c-40c) 7 days. Gross: $1,100. (Average, $1,200)

St. Paul

"Little Old New York" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 6 days. Gross: $4,600. (Average, $3,200)
"Raffles" (U. A.)
ORPHEUM--(2,000) (25c-40c) 6 days. Gross: $3,700. (Average, $3,200)
"Geronimo" (Para.)
RIVIERA—(1,000) (25c) 8 days. Gross: $3,000. (Average, $1,800)
"The Big Guy" (Univ.)
"Married and In Love" (RKO)
TOWER—(1,000) (25c) 5 days. Gross: $1,100. (Average, $1,600)
"Two Hearts in Waltz Time" (Assoc. Cinema)
WORLD—(400) (25c-35c) 6 days. Gross: $900. (Average, $1,100)

Kansas City Gives 'Passage' $12,000

KANSAS CITY, March 12.—"Northwest Passage" and "Five Little Peppers at Home" took $12,000 at the Midland. Other bills were only fair or less. Weather was stormy, and the Better Homes Show at the Municipal Auditorium drew $125,000 for the week.

Estimated takings for the week ending March 5-7:

"My Little Chickadee" (Univ.)
ESQUIRE—(800) (25c-40c) 5 days, 2nd week. Gross: $1,500. (Average, 5 days, $1,800)
"Northwest Passage" (M-G-M)
"Five Little Peppers at Home" (Col.)
MIDLAND—(4,000) (25c-40c) 8 days. Gross: $12,000. (Average, 8 days, $10,200)
"Seventeen" (Para.)
"The Farmer's Daughter" (Para.)
NEWMAN—(1,900) (25c-40c) 8 days. Gross: $7,500. (Average, 8 days, $7,600)
"Dr. Ehrlich's Magic Bullet" (W. B.)
"Two Thoroughbreds" (RKO)
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $3,700. (Average, $5,000)
"Honeymoon Deferred" (Univ.)
TOWER—(2,202) (25c) 7 days. Stage: Joe Termini, with Jean Hamilton and Joe Clayton; Ray Vaughn, Hal Menken. Gross: $5,600. (Average, $6,000)
"My Little Chickadee" (Univ:)
UPTOWN—(2,000) (25c-40c) 5 days, 2nd week. Gross: $2,000. (Average, 5 days, $2,600)

'Outsider' Opening Set

"The Outsider," English film co-starring George Sanders and Mary Maguire, has been scheduled to open at the Little Carnegie Playhouse on Saturday.

Feature Reviews

"They Came by Night"

(20th Century-Fox)

Will Fyffe, notable English actor, herein offers another of his inimitable Scotch characterizations, as the English gem expert who becomes involved with thieves and brings them to justice.

The film was produced in England by Edward Black for 20th Century-Fox, Ltd., English producing unit of the American company. Harry Lachman, who directed from a screenplay by Sidney Gilliat and Michael Pertwee, gave the film pace and interest. The highlight is an attempt to crack a bullion vault. It is defeated by the cleverness of the elderly Fyffe.

Phyllis Calvert, as Fyffe's niece, and Anthony Holme, as the detective in love with Miss Calvert, have the chief supporting roles.

When a valuable ruby is stolen, Fyffe learns that his brother and partner is implicated. When the latter commits suicide, Fyffe determines to find those who led him into trouble. Seeking the gem, which has been sent to his brother after his death, the thieves force Fyffe to accompany them on an attempted robbery of a vault. By causing the burglar alarm to be sounded while the gang is at work, Fyffe brings their arrest, himself escapes detection, and satisfies the detective that he was playing detective.

Running time, 72 minutes. "G."* CHARLES S. AARONSON

"Little Orvie"

(RKO)

HOLLYWOOD, March 12.—Delightful and unpretentious entertainment, "Little Orvie" preaches no messages, espouses no causes save that of a boy for a dog, and then proceeds to see that he gets not one dog but a varied and colorful assortment ranging from a spaniel puppy to a Great Dane.

As portrayed by youthful John Sheffield, the title character comes even closer to thousands of homes than did the original character created in the Booth Tarkington novel. Living up to the acting standard set by Sheffield are Ernest Truex, as the boy's father; Dorothy Tree, as his mother; young Ann Todd, as his understanding girl friend; Daisy Mothershed as the colored cook who bears the brunt of much canine abuse, and Ray Turner, as her dog-shy and whisky-loving husband.

The screenplay by Lynn Root, Frank Fenton and Robert Chapin heightens the most typical aspects of the well known book, stressing the window breaking proclivities of its boy protagonist in a manner which was enthusiastically received by old and young alike at the picture's preview. Ray McCarey directed with a sure touch for the film's values. William Sistrom produced and Lee Marcus was executive producer.

Running time, 63 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

Whiteman and 'Wolf' $16,000, Cincinnati

CINCINNATI, March 12. — Paul Whiteman and his orchestra was responsible for a $16,000 gross at the RKO Shubert, where the film was "The Lone Wolf Strikes." "Strange Cargo" hit $14,700 at the RKO Palace, and "Grapes of Wrath" did $8,500 in its second week at the RKO Capitol.

Estimated takings for the week ending March 5-9:

"Abe Lincoln in Illinois" (RKO)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,000. (Average, $12,000)
"Strange Cargo" (M-G-M)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $14,700. (Average, $10,000)
"The Lone Wolf Strikes" (Col.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Paul Whiteman and orchestra. Gross: $16,000. (Average, $10,000)
"Grapes of Wrath" (20th-Fox)
RKO CAPITOL—(2,000) (42c-60c) 7 days, 2nd week. Gross: $8,500. (Average, at 35c-42c, $6,500)
"Green Hell" (Univ.)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $3,800. (Average, $5,000)
"East Side Kids" (Mono.)
"City of Chance" (20th-Fox)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,400. (Average, $1,500)
"The Saint's Double Trouble" (RKO)
"My Son Is Guilty" (Col.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $800. (Average, $900)
"He Married His Wife" (20th-Fox)
KEITH'S—(1,500) (30c-40c) 5 days. Gross: $3,000. (Average, 7 days, $6,000)

'Woman,' 'Oxford' $12,000 in Detroit

DETROIT, March 12.—The dual of "I Take This Woman" and "A Chump at Oxford" at the Michigan drew $12,000. "The Grapes of Wrath" took $30,000 at the Fox, and "The Return of Dr. X" and "Castle on the Hudson" was good for $7,500 at the Palms. "Gone With the Wind" brought in $35,000 at the United Artists and $27,500 at the Wilson.

Estimated takings for the week ending March 7:

"Little Old New York" (20th-Fox)
"Young As You Feel" (20th-Fox)
ADAMS—(1,600) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Judge Hardy and Son" (M-G-M)
"Geronimo" (Para.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Grapes of Wrath" (20th-Fox)
FOX—(5,000) (20c-55c) 7 days. Gross: $30,000. (Average, $15,000)
"I Take This Woman" (M-G-M)
"A Chump at Oxford" (U. A.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $12,000. (Average, $12,000)
"The Return of Dr. X" (W. B.)
"Castle on the Hudson" (W. B.)
PALMS—(2,000) (15c-50c) 7 days. Gross: $7,500. (Average, $7,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (75c-$1.10-$1.50) 7 days, 6th week. Gross: $35,000. (Average, $10,000, regular scale)
"Gone With the Wind" (M-G-M)
WILSON—(1,912) (75c-$1.10-$1.50) 7 days, 6th week. Gross: $27,500.

'Chickadee' Gets $13,500 Frisco Gross

SAN FRANCISCO, March 12.—"Gone With the Wind" drew $32,000 for the sixth week at the Warfield. "Grapes of Wrath" pulled $22,000. "My [illegible]tle Chickadee" paired with "The Lo Wolf Strikes" to make $13,500 at Orpheum.

Estimated takings for the week ending March 5-8:

"Vigil in the Night" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,000. (Average, $15,000)
"My Little Chickadee" (Univ.)
"The Lone Wolf Strikes" (Col.)
ORPHEUM — (2,440) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $8,000)
"Grapes of Wrath" (20th-Fox)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $22,000. (Average, $16,000)
"Sidewalks of London" (Para.)
"The Farmer's Daughter" (Para.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $11,000. (Average, $11,500)
"House Across the Bay" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross. $7,500. (Average, $8,000)
"Northwest Passage" (M-G-M)
ST. FRANCIS—(1,400) (15c-30c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)
"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days, 6th week. Gross: $32,000. (Average, $12,000)
"Harvest" (Cinema Center)
CLAY—(400) (15c-35c-40c) 7 days, 3rd week. Gross: $1,200. (Average, $1,000)
"Tevya" (Maymon Films, Inc.)
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $1,000. (Average, $1,000)

'Mice,' Providence, Grosses Big $7,500

PROVIDENCE, March 12.—"Northwest Passage," paired with "Blondie on a Budget" at Loew's State for eight days, took $16,500 to lead the town. The two Steinbeck pictures, "Grapes of Wrath" at the Majestic and "Of Mice and Men" at the RKO-Albee, were runners up with honors even, each film turning $7,500.

Estimated takings for the week ending March 5-7:

"Of Mice and Men" (U. A.)
"Chumps at Oxford" (U. A.)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $6,000)
"Northwest Passage" (M-G-M)
"Blondie on a Budget" (Col.)
LOEW'S STATE—(3,232) (25c-35c-50c) 8 days. Gross: $16,500. (Average, 7 days, $11,000)
"The Grapes of Wrath" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)
"Parole Fixer" (Para.)
"Knights of the Range" (Para.)
STRAND—(2,200) (25c-35c-50c) 7 days. Gross: $4,300. (Average, $6,000)
"Double Alibi" (Univ.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Pritchard and Lord; Abbott and Robey; the Four Dudleys; Francis and Walley; and the Four Sydneys. Gross: $5,000. (Average, $6,500)
"Broadway Melody of 1940" (M-G-M)
"The Lone Wolf Strikes" (Col.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $3,500)
"He Married His Wife" (20th-Fox)
"The Man Who Wouldn't Talk" (20th-Fox)
"The Shop Around the Corner" (M-G-M)
"Invisible Stripes" (W. B.)
EMPIRE — (2,200) (20c-30c) 2nd run, dual split week. Gross: $1,300. (Average, $1,700)

Plans Charity Show

CLEVELAND, March 12.—The Variety Club post of the American Legion will present a midnight stage and screen show at the Circle Friday to raise funds to send underprivileged children to Summer camps. In charge of the event are M. A. Goodman, Harry Goldstein, Howard Roth, John Himmelein and George Kendis.

Britain Plans Film Exchange With France

By AUBREY FLANAGAN

London, Feb. 28 (*By Mail*).—A Franco-British exchange of documentary films is planned by Sir Kenneth Clark, director of the Films Division of the Ministry of Information. He made a recent trip to France to study the matter.

It is Sir Kenneth's idea to send British films to France to be shown with French sound tracks made here and French films so dubbed in French to be brought to this country. He also aims at non-theatrical distribution in rural areas of 16 mm. films.

First blood in the campaign for later transport facilities—said to be the key to beating the blackout—has been scored at Newcastle where the authorities have extended the late bus service from 10 p. m. to 11 p. m.

"Pinocchio" will have its London premiere on March 18. It has been chosen to reopen the New Gallery Cinema in Regent St., closed since the war started.

Sussex exhibitors wanting to avail themselves of the Sunday opening legislation have been presented by their licensing authorities with arbitrary demands for quarterly audited accounts as a condition of opening.

A charity tax is of course imposed, on percentage lines, and the accounts are claimed as necessary for a check-up on Sunday trade.

The Surrey County Council, notoriously one of the most difficult in exhibitor negotiations, will not follow London's example in imposing a seat price rule. This was proposed, but now the Council say it will postpone its operation for the time being.

34 College Editors To Preview 'Apollo'

Editors of college newspapers from 34 universities in the East will be guests of 20th Century-Fox at a special preview of "Johnny Apollo" at the Victoria Theatre, Ossining, N. Y., on Friday evening. Trade and newspaper representatives also will attend.

The editors will arrive here Friday afternoon, and will be quartered at the St. Moritz Hotel until they return to their schools on Sunday. A dinner at the hotel will precede the trip by car to Ossining, where the preview will be held at 9:30. On Saturday the editors will be entertained at the matinee performance of "Too Many Girls," and will participate in a special broadcast by the Collegiate Public Relations Bureau of CBS on Sunday morning.

Ostrer Due from London

London, March 12.—Isidor Ostrer plans to visit New York shortly to discuss the extension of Baird Television business in the United States.

'Primrose' to Roxy

"The Primrose Path," RKO production starring Ginger Rogers, has been booked by the Roxy to open March 22.

Theatre & Personnel Notes

Interstate Opening Two

Dallas, March 12.—Opening of the Interstate Circuit's Pershing at El Paso, Texas, is scheduled for a date between March 25 and April 1. It is that city's first neighborhood house, seating 750. Ground has been broken for a new neighborhood 1,000-seat house at Houston by Interstate. Opening is planned for the Fall.

Building in Indiana

Elkhart, Ind., March 12.—The new Elkhart State Theatre Co., headed by N. N. Bernstein of this city, has begun construction of a $75,000 house, to be opened June 1. Owner of the company is Mrs. Winifred Frye of Elkhart. Bernstein operates theatres in Waukegan, Ill., and Hammond, Ind.

Quits Columbia Exchange

Albany, March 12.—Louis Olshan, cashier in the Columbia exchange, will resign March 15 to enter business in New York. His successor will be Inez Lawrence, formerly his assistant. Sarah Sohon of the same exchange, will be advanced to Miss Lawrence's place.

Reopen Oklahoma City House

Onlahoma City, March 12. — Closed more than a year, Standard Theatre's Ritz, northeast neighborhood house, will be reopened soon after extensive redecorating and improvements, according to Walter B. Shuttee, Standard manager.

Plans Hamilton, O., House

Hamilton, O., March 12.—A new 450-seat suburban, to be known as the Linden, will be built here by Miles Vance, former operator of the suburban Crescent, at Cincinnati, at an estimated cost of $40,000.

Form Ohio Company

Ironton, O., March 12.—The Ironton Theatre Co. has been incorporated here for $25,000, by A. J. Sexton, Jr., Hazel Sexton and Froniz Sexton, to operate the Marlow and Lyric, recently acquired from Joseph Stearn and his brother. The Sexton interests also operate two houses in Ashland, Ky., and one in Portsmouth, O.

Take Kansas Theatre

Kansas City, March 12.—J. R. and R. A. Klopfenstein of Mound City, Kan., have taken over the Aladdin there from Roy Williams. The theatre burned some time ago, and now is being rebuilt for opening about March 26.

Kirkpatrick to Regent

Toronto, March 12.—J. A. Kirkpatrick, for many years on the sales force of Canadian Universal Films, has been appointed manager of the Regent Film Co., Toronto, handling independent features, succeeding J. A. Davidson.

Building in Missouri

Kansas City, March 12.—Chester Hurdle, who operates the Karyl at Milan, Mo., is planning to build a new house there.

Building Atlanta House

Atlanta, March 12.—Lucas & Jenkins are building a new neighborhood theatre in the West End to seat 1,250, at a cost of $40,000.

Dismissal of Gary Trust Suit Looms

Chicago, March 12.—Defense counsel asked for a dismissal of the Gary Theatre anti-trust suit today and Judge William Holly, after hearing a portion of the plea for dismissal, instructed the plaintiff's attorney, Albert Gavit, to show why he believes the trial should be continued. Gavit will make his plea tomorrow.

Indications are that the suit will be dismissed unless some wholly unexpected testimony is introduced. Plaintiff V. U. Young's admission on the stand that clearance was necessary altered things considerably.

Fined For Allowing Children in Theatre

Montreal, March 12.—Faced with prospective testimony of over 30 children from Verdun whose ages ranged from four to 14 years, Cyril Scrivens, manager of the Park Theatre, Verdun, pleaded guilty today to three charges of allowing children under 16 in the theatre during performances. He was fined $50 and costs with alternative of a month in jail in each case by Judge Monet.

A move now underway for repeal of the ban may permit children to attend theatres where programs have been approved by a special board.

CEA Elects Mears; Tax Change Urged

London, March 12.—Harry P. E. Mears, today elected president of the Cinematograph Exhibitors Association, appealed to the Chancellor of the Exchequer for a readjustment of the theatre tax to permit profitable operation.

Speaking of the general meeting of the C.E.A., Mears outlined wartime trade conditons and said some theatres in evacuated areas are doing only about about 50 per cent of normal business. He pledged full cooperation with the Government but asked consideration in return.

Approximately 800 attended tonight's banquet at Grosvenor House, including Government representatives, members of Parliament and Alan Steyne, second secretary of the American Embassay, who represented Ambassador Joseph P. Kennedy.

Sir John Reith, Minister of Information, guest of honor, discussed the industry's role in the war, and thanked American interests for their cooperation.

British War Films To Last 100 Years

London, March 11.—Great Britain is preserving films of the present war so that Britishers in the next 100 years will be able to see history unfolded before their eyes. Films are wrapped in waxed paper so that copying will not be necessary for at least another half century.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN
"Bob, I'm not going to argue with you about right or wrong . . . law or duty. I'm pleading with you for the life of my brother."
A Republic PICTURE

Relay System Of Television Ready by '41

(*Continued from page 1*)

paign will be a reduction of set prices by one-third from their present list, an increase of dealer discounts to about 35 per cent, and a plan for financing which will permit purchases for 10 per cent down and the balance over an 18-month period. Franchises will be given to a limited number of dealers and the Feld-Crawford fair trade contracts will prevent price-cutting.

NBC estimates its present audience at about five to a set and if the 25,000 set quota is achieved, an audience of upwards of 100,000 should be available to prospective advertisers, NBC officials estimate.

Simultaneously with the RCA announcement, the Cath-Ray Television Corp. announced a new set, with a five by six-and-a-half-inch screen, which will sell at $149.50. The Allen B. Dumont Laboratories, which have had a one-third price cut in effect since December, although list prices have not been officially reduced, will probably make a public announcement of their lowered prices in the near future and back it with an intensive sales campaign, Mark B. Lajoie, general sales manager, declared yesterday.

In addition to the marketing of home receivers, RCA has already started a campaign to sell the sets to bars and other public places. The 12-inch screen set will sell at $395, instead of $600, while the nine-inch set will sell at $295 instead of $450. Five-inch sets will sell at $169, but will be discontinued after the present stock is exhausted.

RCA will have to sell at least 35,000 sets to break even, according to Thomas F. Joyce, vice-president and advertising director of RCA-Manufacturing. The DuMont 14-inch screen set has been retailing at $400, for the deluxe combination console, instead of the original price of $580.

All persons who have purchased RCA sets at the original prices or dealers who stocked them at the higher prices will receive a cash refund of the difference in prices.

At a meeting attended by more than 500 dealers yesterday, it was disclosed that the sales campaign would be backed by sponsored programs over WEAF and WJZ. Television programs will also be developed to sell sets.

In order to increase interest in telecasting among broadcasters, RCA will make available its relay system to all broadcasters who wish to use it. After the Philadelphia relay system is set up, it will be extended to Washington and Boston, it was said.

AGVA Unit to Elect

PHILADELPHIA, March 12.—Election of officers and advisory board for the local branch of A. G. V. A. has been scheduled for March 26 by Executive Secretary Tom Kelly. The local branch functioned as an independent United Entertainers' Association until two weeks ago when it was granted an A. G. V. A. charter.

RADIO BREVITIES

Kansas Network for Mutual

With the addition of three new stations in Kansas within the next six weeks, Mutual will establish the Kansas state network as part of its system on May 1. The addition of the three stations will bring the total of Mutual affiliates to 123.

Two stations will join on Saturday. They are KSAL, Salina, which operates on 1,500 k.c. with 250 watts, day, and 100 watts, night, but has a license to switch to 1,120 k.c. with 1,000 watts, day, and 500 watts, night; and KVGB, Great Bend, on 1,370 k.c. with 100 watts, full time.

On May 1, KFBI, Abilene, on 1,050 k.c., with 500 watts, day, moves to Wichita, and joins Mutual on that day. The fourth member of the Kansas web, KTSW, Emporia, has been part of the Mutual system since December.

Personalities in the News

Donald Shaw has been signed to a long term contract as executive vice-president and general manager of WMCA, Donald Flamm, president, announced yesterday. . . . Raymond F. Guy, radio facilities engineer at NBC, leaves for Washington on Monday to testify before the F.C.C. on frequency modulation. . . . David Lowe, who conducts the "Soundtrack" on WNEW, has been named president of the National Radio Film Commentators Circle. . . . James R. Angell, NBC educational director, will deliver the Howard Crawley Memorial Lecture at the University of Pennsylvania on "Radio, Propaganda and War" next Monday.

For Baseball's Hall of Fame

A transcription of a one-hour broadcast of baseball's centennial celebration last June will be presented by CBS to baseball's Hall of Fame and National Museum at Cooperstown, N. Y. John Fitzgerald, CBS director of sports, is having the transcription made on aluminum discs for permanent preservation.

Program News

Richfield Oil has renewed "Confidentially Yours" over 26 Mutual stations for an additional 13 weeks, effective April 2. In addition, Richfield is extending its sponsorship to three times weekly with most of the stations instead of the once-weekly, as at present. . . .

Continental Baking has renewed "Pretty Kitty Kelly" for an additional 52 weeks over 45 CBS stations. . . . A musical program featuring $150 in weekly awards for safe drivers will be sponsored by the Manhattan Pontiac Co. over WMCA starting next Tuesday. It will be heard Tuesdays, Thursdays and Sundays at 7:30 P. M. Special safety patrol cars will cruise the streets to select the safe drivers. . . .

CBS, in conjunction with the U. S. office of Education, the U. S. Printing Office and the Federal Housing Administration, will present a new series on housing, "Roof Over America," beginning Sunday, March 24 at 2 P. M.

Socialist Convention on Air

As a tuneup for the major political conventions which take place this Summer, CBS, NBC-Blue and Mutual will broadcast the keynote speech of the Socialist party national convention from the National Press Club, Washington, on Saturday, April 6, from 10 to 10:30 A.M. On the following day, Albert Warner, CBS correspondent, will interview the nominee.

New Studios for WIRE

WIRE, Indianapolis, moves to new studios and offices in the Claypool Hotel on Friday. A reception and dinner will be tendered tomorrow evening at which about 650 radio and other notables are expected to attend. Among those who have accepted are Lenox R. Lohr, Niles Trammell and Sidney Strotz, of NBC; Fred Weber, general manager of Mutual; Will Hays, president of the M.P.P.D.A.; and Governor Townsend, of Indiana.

Spot NBC Advertising Rises

Spot and local advertising carried over the 15 managed and operated NBC stations rose to a new high during February, when billings totalled $502,400, a rise of 31 per cent over the same month last year, James V. McConnell, national spot and local sales manager, disclosed yesterday. January billings for spot and local advertising were also 31 per cent ahead of January, 1939, and McConnell believes that the same 31 per cent can be maintained for the balance of the year.

Illinois Allied Holds Convention Friday

CHICAGO, March 12.—Allied of Illinois will hold its tenth annual meeting Friday noon at the Congress Hotel. Report of the year's activity and future plans and election of officers will take place. Jack Hirsch, president, arrived from a month's Florida vacation, yesterday. Dates of the National Allied convention here will be announced next week.

Marcus Loew Dividend

TORONTO, March 12.—Another payment on arrears of Marcus Loew's Theatres, Ltd., has been made in the declaration of a dividend of 3½ per cent on the 7 per cent preferred shares for the half year ending June 30, 1938. The company operates Loew's in downtown Toronto.

Nebraska's Ascap Hearing March 25

A motion by Nebraska state officials for a new trial of the action contesting the constitutionality of the state's anti-Ascap law has been set for hearing March 25 in the Federal statutory court at Omaha.

Following the original trial the court handed down a decision holding the law to be unconstitutional and granting Ascap a permanent injunction restraining the state from enforcing the statute.

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will oppose the state's motion at the Omaha hearing. In April the two will argue the constitutionality of a similar statute enacted in Florida.

'Ehrlich' Gets Neat $10,700, Philadelphia

PHILADELPHIA, March 12.—While snow on Saturday and rain on Sunday cut into the weekend business, grosses held up to average for the full week. "The Grapes of Wrath" did excellently at the Fox with $24,600 On its second run at the Arcadia, "Broadway Melody of 1940" took $5,200. "Dr. Ehrlich's Magic Bullet" drew $10,700 at the Aldine.

Estimated takings for the week ending March 7-9:

"Dr. Ehrlich's Magic Bullet" (W. B.)
ALDINE—(1,700) (32c-42c-57c-68c) 7 days. Gross: $10,700. (Average, $8,000)

"Broadway Melody of 1940" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $5,200. (Average, $2,000)

"Gone With the Wind" (M-G-M)
BOYD—(2,400) (86c-$1.14-$1.71) 6 days, 7th week. Gross: $26,800. (Average, $13,000)

"Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 7 days, 7th week. Gross: $29,000. (Average, $14,000)

"The Grapes of Wrath" (20th-Fox)
FOX — (3,000) (32c-42c-57c-68c) 7 days. Gross: $24,600. (Average, $13,000)

"Castle on the Hudson" (W. B.)
KARLTON — (1,000) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $3,800. (Average, $3,000)

"Swiss Family Robinson" (RKO)
KEITH'S—(2,200) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $3,700. (Average, $3,500)

"Northwest Passage" (M-G-M)
STANLEY—(3,700) (32c-42c-57c-68c) 7 days, 2nd week. Gross: $12,800. (Average, $14,000)

"Double Alibi" (Univ.)
STANTON—(1,700) (32c-42c-57c-68c) 7 days. Gross: $4,200. (Average, $4,500)

Assessment Review Law for N. Y. Urged

ALBANY, March 12.—Assessment review legislation, desired by exhibitors in municipalities throughout the state, has been urged by Mayor Roger W. Huntington of Waterville, president of the Real Estate Association of the State of New York.

Huntington, on behalf of the real estate group, called for a saving of $40,000 to taxpayers by passage of legislation. A state legislative committee has been meeting to study the question and will submit its findings before the end of the session late this month. Theatre circuits, in particular, have long claimed that assessment of their property throughout the state is many times in excess of the worth and heretofore the only recourse has been through expensive court action.

Mississippi Senate Approves Tax Rise

JACKSON, Miss., March 12. — The bill proposed to permit the city of Jackson to impose extra taxes on theatre admissions and other retail collections to "replenish the city's diminishing revenues" has been passed by the State Senate and now goes to the House.

The bill would empower municipalities of the state with population of 35,000 or more to impose levies equal to such taxes as imposed by the state. Jackson is the only city near this size in Mississippi. The state tax on theatre admissions runs from one cent on 15 cents up to 10 per cent on $1. A 60 per cent majority vote is necessary for the city to adopt the measure.

Alert,
Intelligent
and
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Picture
Industry

MOTION PICTURE DAILY

First in
Film and
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Brief,
Accurate
and
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V 47. NO. 52 NEW YORK, U. S. A., THURSDAY, MARCH 14, 1940 TEN CENTS

Millions Back Schwab Film Making Firm

Sam Bronston President; Major Release Fixed

Hollywood, March 13.—Entry of the Schwab millions in Hollywood motion picture production was disclosed today with the filing of incorporation papers for Samuel Bronston Productions, Inc., of which Edward H. Schwab, brother of the late Charles M. Schwab, is director.

Samuel Bronston is president of the company. Frank J. Perry, son-in-law of Edward Schwab, is vice-president. In addition John J. Bergen, prominent New York broker, and William V. O'Connor, nephew of J. F. T. O'Connor, former comptroller of currency, are members of the board. The former Federal official is general counsel for the company.

Capitalization of the company has been fixed at $1,000,000.

While company attaches stated officially that a release deal with a major outlet has been set, it will not be announced until later this week when the production program will be made public.

Bronston and J. F. T. O'Connor last year formed Commodore Pictures, Inc., and for a while carried on negotiations with James Roosevelt to join the company.

Disney Files SEC Plea on New Stock

Washington, March 13.—Registration of 155,000 shares of six per cent cumulative convertible preferred stock with a par value of $25 per share and of a like amount of common stock, par value $5, into which the preferred may later be converted, was asked of the Securities and Exchange Commission today by Walt Disney Prod.

The estimated return from the preferred stock, the statement showed, will be approximately $4,030,000, which will be used to pay off bank loans and other indebtedness incurred for construction of the new Disney studio.

The principal underwriters for the issue will be Kidder, Peabody & Co., and Harriman Ripley & Co., New York, and Pacific Capital Corp., Los Angeles.

The statement, covering the first

(*Continued on page 6*)

Theatre Bills Killed In State Assembly; Ticket Taxes Lose

Albany, March 13.—Scores of bills, many of them pertaining to film houses and legitimate theatres, have been killed by committees in the State Assembly.

The rules committee tomorrow will establish the procedure on all measures which have been preserved for action by the Assembly.

Killed in the slaughter of bills were the Davidson proposal privileging any person, regardless of color or creed, and two anti-discrimination measures by Assemblyman Burrows.

Assemblyman Bennett's proposed tax on and the licensing of chain stores, including theatres, also was included in the legislative graveyard.

The ways and means committee killed a three per cent sales tax which would have increased the revenue on theatre admissions in the higher brackets.

The anti-Ascap bill, favored by many small exhibitors, was smothered by the ways and means committee, while the Wilson measure to provide licensing charges for the re-sale of admission tickets by telegraph and telephone companies was killed by the judiciary committee.

Music Hall to Hold Easter Services

Easter sunrise services of the Greater New York Federation of Churches, in the past held outdoors and at Columbia University, will be conducted at the Radio City Music Hall this year.

A talk by T. Z. Koo, noted Chinese Christian, hymns by the Good Shepherd Lutheran Choir of 250 boys and the usual Easter ceremonies will comprise the program on March 24. The services will be broadcast from 7:30 to 8 A. M. over WJZ and from 8 to 8:30 over the entire NBC-Blue network.

British Fight Starts For Lower Rentals

London, March 13.—A vigorous nationwide campaign for a reduction of film rentals was launched today at the first meeting of the new general council of the Cinematograph Exhibitors Association.

A committee was named to study the situation and to instruct all C.E.A. branches on the action to be

(*Continued on page 6*)

Trade Papers' Value Lauded At Quigley Award Luncheon

Hollywood, March 13.—The importance to the industry as a whole of the constructive operation of film trade publications was stressed by Walter Wanger, president of the Academy of Motion Picture Arts and Sciences yesterday at the Quigley Awards luncheon at the Victor Hugo Restaurant here.

The occasion was the presentation of the Quigley Grand Awards to the winners of the annual contest conducted by Managers' Round Table of *Motion Picture Herald*.

The presentation was made by Y. Frank Freeman, president of the Motion Picture Producers Association, to Ray Bell of Loew's Theatre, Washington, D. C., winner of the Silver Plaque, and Lige Brien, manager of Warners' Prince, Arbridge, Pa., winner of the Bronze Plaque.

Wanger paid tribute to Martin Quigley for his "excellent publications and for the many constructive things he has done for this industry." Continuing, Wanger said, "There's too much good in our industry to let other people continue to revile us for their own selfish interests. We are serving the public and I think we are doing a good job."

The luncheon ceremonies were attended by ranking studio executives. Those who paid tribute to the award winners were: Frank Capra, president of the Screen Directors Guild; Ralph Morgan, president of the Screen Actors Guild, and Charles Brackett, past president of the Screen Writers Guild.

Past Quigley Award winners, who were introduced from the floor, were: William Hendricks, manager of Warners' Downtown Theatre, Los

(*Continued on page 3*)

'Pinocchio' Drops Single Bill Policy

Hollywood, March 13.—Continuation of opposition by exhibitors and the necessity of clearing theatres of children who stay through repeat performances caused an announcement today by Roy Disney that "Pinocchio" would no longer be sold on a single feature policy. The cartoon film has already been singled in New York, Buffalo, Oklahoma City, Lincoln, Neb., and Los Angeles.

U.S. Will Quiz Its Witnesses In Hollywood

Examinations in April; Delay of Trial Looms

The Government will begin the interrogation of Hollywood witnesses in the New York anti-trust suit on April 15 in Hollywood, it was disclosed here yesterday by William Farnsworth, special attorney for the Department of Justice.

Paul Williams, who will be in charge of the Government's case at the trial of the anti-trust suit here, is now on the Coast, making preparations for the examination of witnesses there.

The examinations will be conducted by Albert J. Law, who represented the Government in its recent investigation of Fox West Coast.

Williams has advised Farnsworth that the examinations will last 10 days to two weeks, thus extending this preparatory phase of the Government's work on the West Coast up to almost the very day that the trial of the anti-trust suit is scheduled to begin in New York.

This, as well as other recent developments, is increasing the belief among defense attorneys that the Gov-

(*Continued on page 2*)

Newsreel Coverage Of U.S. House Seen

Washington, March 13.—Newsreel representatives here are confident that before the end of the current Congressional session provision will be made for them in the House gallery, under a resolution introduced yesterday by Representative John J. Delaney of New York.

Under the resolution space would be set aside in the press gallery for newsreel coverage as was done last year for broadcasters. Tony Muto, Washington representative for Fox Movietone News, headed the campaign to give official recognition to the reels. He pointed out that the reels have been working at the Capitol for 20 years, but never have had any formal standing.

It is not contemplated that the newsreel companies will keep men stationed permanently in the gallery, but, if the resolution is adopted, they will have a properly equipped position from which to work on special occasions, as the broadcasters do. It is anticipated that the resolution will be adopted.

U.S. Will Quiz Its Witnesses In Hollywood

(*Continued from page* 1)

ernment will not be ready for trial by May 1 and that a delay beyond that date is almost inevitable.

The West Coast examinations for the most part will include independent producers and exhibitors, although some production executives associated with company defendants may be queried as well.

Major company defendants have reached no decisions yet as to whether or not the Government's 300-page answers are sufficiently informative to satisfy the defendants' interrogatories.

It is possible that the answers, which are still being studied by attorneys, will be accepted without further legal maneuvering, although it is equally possible that some of the defendants, particularly Columbia, will petition the court for an order directing the Government to give additional or more specific information.

Most of the Government's proposed stipulations will be objected to by the defense but it is certain that some effort will be made to agree upon some of them after the scheduled March 27 conference with Federal Judge Henry W. Goddard.

Sears Testifies About Pooling Arrangements

The Government was charged yesterday by John Caskey, attorney for Twentieth Century-Fox, with disregarding answers to interrogatories prepared by majors with "great labor and expense," in asking questions of film executives during pre-trial examinations.

Caskey's statement was made after Special Assistant Attorney General Robert L. Wright had questioned Gradwell L. Sears, vice-president of Warner Brothers in charge of sales, on pooling arrangements between Warners and other majors.

Sears testified that in carrying out contracts to split product between two houses a division is made "as even as to quality and number of films as is humanly possible." No adjustments, however, are permitted at the end of a season, he stated.

Negotiations for the sale of first run product in the Government's 36 key cities were described by the Warner executive. Sears spoke of two occasions when he discussed contract terms with Y. Frank Freeman and Barney Balaban of Paramount Pictures.

Freeman telephoned him two years ago, Sears said, with a "general lament on business in Detroit" and an appeal for reduced rentals. "I offered my condolences," Sears rejoined, and then volunteered the information that he rejected Freeman's request.

According to the testimony, both Sears and Joseph Bernhard, head of Warner theatres, have "many, many times" received instructions from Harry Warner to operate their departments independently of each other.

Sears stated that he had no outside financial interests in the motion picture industry. He declared that the theatre department of Warners did not consult him in opening new houses except to learn whether product would be available in the area.

The Warner vice-president declared that there were "innumerable reasons" why the distribution division benefited from affiliation with theatre companies.

He concluded his examination by stating that a number of these reasons were enhancement of the value of pictures, advertising benefits and the ability to gauge the public demand for material and stars.

◀ *Purely Personal* ▶

W. A. SCULLY, Universal general sales manager, is expected from Florida this weekend.

•

Edward M. Saunders, Western division manager for M-G-M, was called to Pittsburgh early this week by the serious illness of his father. Saunders had been vacationing in Florida. He will return to New York from Pittsburgh.

•

Harry Brandt, David Weinstock, Joseph Weinberg, George Dembow, George Weltner, Mrs. Howard Dietz, Owen Davis, Ted O'Shea, Max Dreyfus and Irving Mills at Nick's Hunting Room in the Astor for lunch yesterday.

•

John H. Harris, national chief barker of the Variety Clubs, and Pittsburgh theatre operator, will leave at the end of the week for a vacation in California, where he will join his wife and son.

•

President L. W. Conrow and Vice-President and General Manager G. L. Carrington of Altec, have returned to New York after a business trip to Detroit.

•

Daniel Finn, Warner Theatres district manager in New Haven, and Max Melincoff, district manager for Massachusetts, have left for Florida vacations.

•

Arthur Krim, John Golden, Martin Beck, Ruth Gordon, Ben Boyar, Sidney Kingsley, Arthur Mayer and Jack Kirkland lunching at Sardi's yesterday.

•

C. J. Latta, chief barker of the Pittsburgh Variety Club, will leave for Florida over the weekend, to join his family.

•

Aaron Copland, American composer, flew to Hollywood yesterday to work on the score of Sol Lesser's "Our Town," United Artists release.

•

Lynn Farnol, United Artists advertising and publicity director, arrived from the Coast by plane last night.

•

Frank McHugh, Warner player, will return to the Coast Sunday after a brief vacation in the East.

•

Barney Hoffman, Warner Theatres executive in New Haven, has left for a vacation in Hollywood, Fla.

•

Jack Cohn, vice-president of Columbia, and Nate Spingold return Monday from Miami.

•

Alexander Korda is expected from the Coast today.

EDWARD A. GOLDEN, vice-president in charge of distribution for Monogram, returns Monday from a tour of exchanges.

•

Rutgers Neilson, RKO publicity manager, won a smoking set for his desk as the door prize at yesterday's meeting of the Circus Saints and Sinners.

•

Herman Wobber, 20th Century-Fox general sales manager, left last night for San Francisco and plans to confer at the studio before returning here.

•

Sam Weisbord of the William Morris office leaves Saturday for Miami, with a stopover in Washington.

•

Hortense Schorr of Columbia is vacationing in Florida.

•

Sam Rinzler of Randforce returns tomorrow from a Miami vacation.

Four Cities Seeking 'Edison' Premiere

Four cities are competing for the world premiere of "Edison the Man," M-G-M's second film on the life of Thomas Alva Edison.

Orange, N. J., where Edison established his laboratories and where his widow and family still live, seems to have the best chance for the coming opening. Schenectady, where General Electric centers, and Dearborn, Mich., where Henry Ford maintains an Edison museum, are also seeking the honor. Ft. Myers, Fla., wants the premiere because Edison maintained a home there.

Wisconsin Court Upholds Bingo Ban

Milwaukee, March 13.—Exhibitors scored a complete victory on Bingo in Wisconsin, as the State Supreme Court refused to reconsider a recent decision holding Bingo a lottery.

The application for an appeal was taken by counsel for the Bahn Frei Hall here, against which an injunction was obtained by Charles W. Trampe, head of Film Service, Inc. The injunction restrained continuation of the game on the ground that it constitutes a public nuisance.

Plaque to Montague On 15th Anniversary

A plaque commemorating his 15th anniversary with Columbia was presented to Abe Montague, general sales manager, by officials of the company yesterday.

The company's annual sales drive, now in progress, also has been designated the Montague 15th anniversary campaign.

M. P. Engineers Meet

Development of a new low reflection lens was discussed by Prof. C. H. Cartwright of the Massachusetts Institute of Technology at a meeting of the Atlantic Coast section of the S.M.P.E. last night at the RCA Photophone studio in New York. The semi-annual convention of S.M.P.E. will be held April 22-25 at Atlantic City.

Title Tricks

Philadelphia, March 13. — There's considerable significance in the titles of the coming features at Henry Friedman's Lansdowne Theatre. He is offering "Four Wives," "A Child Is Born" and "Blondie Brings Up Baby," and in the order named.

Plan Trade Relief Fund in New York

Plans for the establishment in New York of a fund similar to Hollywood's Motion Picture Relief Fund will be discussed at a meeting of the Motion Picture Associates Saturday at the Hotel Astor.

The cooperation of industry interests will be sought. Samuel Rinzler, executive of the Randforce circuit, has volunteered to work with the Associates in soliciting support from the major companies. Jack Ellis, president, is pushing the plan as a means of providing for the needy and unemployed in the film business in the East.

Other recommendations of the board of directors will be discussed at the meeting. The date will be set for the next annual dinner-dance.

Judge to Dismiss Gary Theatre Suit

Chicago, March 13.—Judge William Holly of Federal Court, citing what he called an insufficiency of evidence, today indicated that he would dismiss the Gary Theatre suit against Balaban and Katz and the majors. At the request of the plaintiff's counsel, he postponed the order until Monday to allow the attorney to decide what further action his client might wish to make. Judge Holly ruled that the evidence failed to prove restraint of trade on the part of distributors and unreasonable clearance.

Steffes to Palm Beach

W. A. (Al) Steffes, Minneapolis exhibitor and Allied States official, will leave Sunday for Palm Beach where he will convalesce following an illness of two months which confined him in the Providence Hospital, Washing. Steffes left the hospital a few days ago. He will be accompanied to Florida by Pete Harrison.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Radio Brevities

A NEW semi-commercial program to test the technique of visual advertising and a new method of news presentation on television will start next Wednesday at 8:50 P. M. over the NBC station, under the sponsorship of Esso.

Using United Press news and photo services, James Spargove will briefly summarize the news items while the iconoscope will be pointed at the news photos. Large signs, stressing Esso products, will be directly behind Spargove and will be brought to the screen when the camera flashes away from the photos to the commentator. The program will be presented weekly. The sponsor is paying for Spargove's services.

Renew Benny's Contract

Jack Benny's contract for the Jello series has been renewed for an additional year by General Foods, it was learned yesterday. Benny's three year non-cancelable contract, one of the longest in radio, expires in June. When he returns to the air after his usual Summer layoff this Fall, he will start his ninth consecutive year on the air and his seventh for the same sponsor.

Clamor for Bergen Tickets

Requests for tickets to the New York broadcasts of the Edgar Bergen and Charlie McCarthy show—March 17, 24 and 31—have swamped the press and guest relations departments of NBC, to say nothing of Standard Brands, sponsor of the show. Requests have outnumbered those for the Toscanini concerts, the previous leader, by more than two-to-one.

Program News

American Tobacco has extended the Ben Bernie show over CBS for an additional 13 *weeks and will shift the time from Sundays at* 5:30 *P. M. to Wednesdays at* 8 *P. M., effective April* 10. . . .

Lanny Ross's program also will be shifted. Ross, who was originally heard at 11 *A. M. was moved to his present* 2 *P. M. spot and will go to* 7:15 *P. M. on April* 1. *He will be heard immediately after "Amos 'n' Andy" on Mondays, Wednesdays, Thursdays and Fridays over CBS. Campbell Soup, sponsor of both shows, will thus have the half hour spot between* 7 *and* 7:30 *P. M.* . . .

General Mills has signed a new contract with NBC-Red for the Ted Weems "Beat the Band" show which will carry the program through Feb. 23, 1941. *It is heard Sundays at* 6:30 *P. M.* . . . *"Show of the Week," cooperatively sponsored show over Mutual, has been renewed for* 13 *weeks, effective March* 31. *It is heard Sundays at* 6:30 *P. M.*

Handbook for Gag Writers

An unusual handbook for radio and screen gag writers, "Thesaurus of Humor," will be published tomorrow by Crown Publishers. Written by two experienced writers in both fields, Mildred Meiers and Jack Knapp, the volume classifies 5,640 humorous situations under 4,000 subject classifications.

Trade Papers' Value Lauded At Quigley Award Luncheon

(*Continued from page* 1)

Angeles, and Jules Seltzer, of the publicity department of Hal Roach Studios.

Watterson Rothacker, vice-president of Quigley Publications, opened the exercises by calling on A-Mike Vogel, chairman of the Managers' Round Table, who outlined the history and mechanism of the showmanship competition. Rothacker then introduced Freeman, as toastmaster.

Awards Encourage Exhibitors

Freeman said, "All three branches of this industry are most important but after the producer has done his job, the job of the exhibitor becomes the most important. It has been my fortunate experience that many years of my life have been spent in the exhibition field. I've also had the fortunate experience of spending a short time in the production end. I am familiar with this award and the untiring effort and ability required to win it. These boys are the representatives of several thousands of exhibitors striving to win these awards each year. I think it is one of the finest tributes to be paid. It is an honor to be called upon to present this silver plaque to Ray Bell of Loew's Theatre, Washington, D. C."

Winner Bell responded, "I can't tell stories or make speeches but I hope that I can at least try to sell pictures. I want to thank you, Mr. Freeman, for this 'Oscar' and you ladies and gentlemen for your presence and encouragement. And I want to thank Mr. Vogel and Quigley Publications for this award and a very pleasant vacation in Hollywood. I think that most of us in the exhibition field try to do a good job but I can sincerely say that through the encouragement of Quigley Publications we are doing a better job."

Calls Herald Asset to Job

Toastmaster Freeman then presented the Bronze Plaque to winner Brien, who said, "I am very proud and happy to be here to accept this award and I want to thank Martin Quigley and *Motion Picture Herald* for their generosity. I think *Motion Picture Herald* is an asset to me in my job and to all of you in your jobs. It is that paper through its Managers' Round Table that has helped us in our work. I am acutely conscious of the honor bestowed upon me and of a duty to do more and better work in the coming years."

"Ray and Lige," Freeman resumed, "I hope I have expressed properly the appreciation of everyone present. You boys represent a group who have the final responsibility in this industry. We know you accept that responsibility in the common cause, and I mean by that that there is no longer a separation between production, distribution and exhibition. Unless the job is well done at the exhibiting end, production cannot live."

Freeman Praises Quigley

Freeman then introduced Wanger. "First of all," Wanger began, "I'd like to pay a tribute to Martin Quigley. Mr. Quigley deserves our thanks and respect for his excellent publications and for the many constructive things he has done for this industry. It's really something to be proud of when we have someone who is as sincere, as honest and as forthright as Martin Quigley. I say that for what he has done today and for the way he conducts his paper, and regardless of the way he and I disagree about some things, it is a great satisfaction to know that the man you disagree with is disagreeing with you from the sincerity of his beliefs and not from motives of advertising blackmail and the much to be despised methods which are much too prevalent in this industry of ours.

"I would like also to say at this time that I had the pleasure of lunching with Mr. Quigley and Mr. Rothacker recently in this room. We were discussing what we considered a very serious situation, the fact that we are being molested in our efforts to achieve a livelihood in this business. Mr. Quigley made a very sage remark.

"He said, 'How do you expect the rest of journalism and the rest of the world to take your business seriously if your own trade press is not run on ethical lines?' I think he made a very pertinent remark, because it seems to me we can be rightfully proud of the pictures made in the last year.

Hails Quigley's Ideals

"If you will look at the 10 Academy candidates you will see that they are certainly pictures of great distinction. There's too much good in our industry to let other people continue to revile us for their own selfish interests. We are serving the public and I think we're doing a good job. I am for any publication that stands for the ideals that Mr. Quigley's publications do, although I'll be pleased when he is a little more on my side on some of the subjects we don't quite agree on as yet."

Capra said, "I didn't come prepared to make a speech, but I don't think much preparation is necessary to congratulate these two gentlemen. It seems to me there are two big steps in pictures—making them and selling them. We can make them, but they are not much good until we get an audience into the theatre to see them. It is a great honor to be here today representing the directors to congratulate these two young men. One of them represents a Washington chain of theatres and the other a second run house with two first run houses opposite him getting the first chance at the best pictures. I want to congratulate these men for winning these awards and I wish all theatres had such men selling their pictures."

Calls Attack Unjustified

Morgan, voicing the sentiments of the Screen Actors Guild, said, "I was particularly glad when Mr. Freeman said he considers the exploitation, selling and production of pictures all part of our own industry. I think we should be particularly grateful today to Martin Quigley and the Quigley Publications for this manifestation of the solidarity of our industry through these awards to these gentlemen.

"I say today particularly because, as Mr. Wanger remarked, we all know that we are being attacked on all flanks. We, as actors, and all other members of our industry, don't believe these attacks are justifiable. We are proud of our industry. We know that we represent a crowd of men and women who are fine citizens and who want to earn their living in a decent way.

"We can be proud of our industry because, out of the first 15 top industries in the country, we are one of the very few who are taking care of our own, from top to bottom. I have found a great heart, a great sympathetic understanding, among the rank and file of this industry. We do not deserve derision. Yet I think we should not protest too much. Our hands are pretty clean. I think as long as we know that we can let our actions express our honesty and sincerity. I want to express my deep gratitude to the Quigley Publications for what they are doing in and for this industry."

Industry Notables Attend

Brackett said, "We writers like to bill ourselves as the forgotten men of motion pictures. It is, therefore, a particularly great pleasure for me to extend our congratulations to Bell and Brien as representatives of those other forgotten men, the showmen who sell the pictures to the public."

Among those also attending the luncheon were: E. J. Mannix, Sol Lesser, Harry Edington, Harry Rapf, Winfield R. Sheehan, Dr. A. H. Giannini, Harry Sherman, Charles Casanave, George Bagnall, J. J. Nolan, Harold Rodner, Gerald Rackett, Jesse Lasky, William C. Thomas, Nat Wolf, Margaret Ettinger, Don Gilman, Reeves Espy, Pat Casey, Al Cohn, Ben Wallerstein, Jack Gross, Edwin Schallert, Harry Crocker, Dema Harshbarger, Jock Lawrence, Howard Strickling, Don McElwaine, Dean Dorn, Arthur Eddy, Tom S. Pettey, Lynn Farnol, John LeRoy Johnston, Murphy McHenry, Frank Seltzer, Al Vaughn, Billy Leyser, Perry Lieber, Robert Doman, John Joseph, Walter Compton, William Peirce, Lance Heath, Edwin Stein.

Honeymoon Island

Honeymoon Island, a free retreat for newlyweds, will be brought to the screen in a Paramount picture by Director Joseph Santley. The island is in the Gulf of Mexico and can be reached in half hour by speedboat from Tampa, Fla. A wealthy Tampa business man allows each newlywed couple two weeks on the island which he owns.

Governors to Head 'Virginia City' List

Governor Olson of California and Governor Carville of Nevada will head the guest list at the world premiere of Warners' "Virginia City" at Reno and Virginia City, Nev., Saturday evening.

Governor Olson will go to the opening with a group of Hollywood players, while Warner home office executives and correspondents already are en route from New York. The guests will gather at Reno Saturday morning and go on to Virginia City in the afternoon. A ball at the State House in the evening will climax the affair. The Hollywood train will return at noon on Sunday, and the group bound for the East will depart Sunday evening.

SHOWMANS

They're all On Board!

ERROL FLYNN ☆ JEAN PARKER
MIRIAM HOPKINS ☆ PRISCILLA LANE
HUMPHREY BOGART ☆ ANN SHERIDAN
RANDOLPH SCOTT ☆ MAY ROBSON ☆ TOM MIX
ROSEMARY LANE ☆ MARY CARLISLE ☆ RALPH BELLAMY
GEORGE BURNS ☆ GRACIE ALLEN ☆ HOBART BOSWORTH
BINNIE BARNES ☆ WARREN WILLIAM ☆ WAYNE MORRIS ☆ BILL BOYD
SIGRID GURIE ☆ FRED STONE ☆ PATRICIA ELLIS ☆ MAYO METHOT
ALLEN JENKINS ☆ BUCK JONES ☆ ALAN HALE ☆ 'BIG BOY' WILLIAMS

It's the Warner way of reminding your patrons that next week begins the national release of

ERROL FLYNN · MIRIAM HOPKINS
in
"VIRGINIA CITY"
with
RANDOLPH SCOTT · HUMPHREY BOGART
FRANK McHUGH · ALAN HALE · GUINN "BIG BOY" WILLIAMS
Directed by MICHAEL CURTIZ
Original Screen Play by Robert Buckner • Music by Max Steiner
A Warner Bros.-First National Picture

Listen! Coast-to-Coast!
NBC Saturday 2:15 P.M.
MBS Saturday 6 P.M.

IP ON RAILS!

It arrives Saturday for the Reno and Virginia City joint celebration of the

'VIRGINIA CITY' WORLD PREMIERE

A SPECTACULAR SENDOFF TO BE READ IN EVERY CORNER OF THE LAND!

They'll tell the world!

Guaranteed coverage for practically every paper in the land! The 500 passengers include correspondents for every wire service, radio commentators, favorite columnists, reporters, film critics, 2 newsreel crews!

WARNERS MADE IT A BIGGER SHOW THAN 'DODGE CITY'!

WARNERS GIVE IT A BIGGER CAMPAIGN THAN 'DODGE CITY'!

British Fight Starts For Lower Rentals

(Continued from page 1)

taken. The committee will meet again next week to be followed by special branch meetings throughout the country. The committee has been instructed to report to the general council meeting next month.

Although no official policy has been set as yet, individual members have suggested a boycott against offending distributors. The indications are that a sharp clash on the situation is brewing.

Despite independent criticism, the general council today ratified the reversion to pre-war committees, but will retain the executive committee with major circuit representatives being elected.

The council discussed favorably the suggestion that the Board of Trade be asked to allow multiple quota films to count in the exhibitors' quota.

Plagiarism Suit

Plagiarism suit of Henry Rose against Marc Connelly, Arthur Kober and Mitchell Grayson was filed yesterday in the U. S. District Court. Rose claims that his play, "Silent Shears," was infringed upon by defendants' play, "Having Wonderful Time."

Club in New Quarters

PITTSBURGH, March 13.—The new headquarters for the local Variety Club will be opened Friday night with a party for members only. A private stag for the press will be held tomorrow night, and a public reception is scheduled for Saturday.

Plans Child Playrooms, Plant Exhibit in Theatre

By WILLIAM F. CROUCH

CHICAGO, March 13.—Sam Myers, prominent independent exhibitor who operates the Teatro Del Lago and Wilmette, will build a new theatre in Glencoe, Ill., just north of here, this Spring. The new theatre, the Glenwin, will cost approximately $175,000 and is to be completed by Sept. 1, 1940. Inside the theatre extra attention will be given to playrooms for children. A conservatory for the raising of rare plants will be another feature of the new theatre. The all-year-round air-conditioning system makes this possible.

Max Factor, booker for the Great States circuit, has resigned, effective April 1, to take a position with the Lincoln Theatre circuit in Minneapolis, which operates 17 Midwestern theatres. No successor to Factor has been named.

Plans for a new 750 seat theatre in Rockford, Ill., have been announced by William Van Matre, Jr., James D. Hurst and T. M. Ellis, Illinois and Wisconsin theatre operators. This will make 10 theatres for Rockford.

"Of Mice and Men" has been booked into the Apollo starting March 23. "Rebecca" goes into the United Artists April 13, following "Young Tom Edison." Art Catlin, who has been handling the advance promotion on "Of Mice and Men" goes on a tour of Midwestern cities next week to exploit "One Million Years B. C."

Clyde W. Eckhardt, branch manager of 20th Century-Fox here, has been named by Herbert Hoover to take charge of the booking of "Finland Fights Back," in theatres in this territory. More than 40 prints of the six-reel subject are now being shown in this territory, Eckhardt reports.

James Roosevelt plans to discuss with Chicago exhibitors his plans for feature and coin machine productions, on Friday. Roosevelt will leave for Hollywood on Saturday or the first of next week.

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"How can I take it easy when she's with the cops? Heaven knows what she's doing — what she's telling them!"

Ultimatum from 4-A To N. Y. Fair Today

Associated Actors and Artistes of America yesterday ruled that no member would be permitted to work at either the New York or San Francisco World's Fair unless every performer was a member of one of the 4-A branches.

A delegation of 4-A officials will meet with the New York Fair officials today to insist that contracts with concessionaires include a closed shop provision. Last year, Fair officials insisted that they could not control the labor policies of concessionaires but the 4-A board declared yesterday that this condition would not be tolerated this year.

The 4-A also forwarded a strong protest to William Green, A. F of L. president, against the granting of a charter to Ralph Whitehead for organization of circus laborers. Whitehead was executive secretary of the American Federation of Actors last August when the 4-A revoked the A.F.A. charter.

Discrimination Bill Filed in Congress

WASHINGTON, March 13.—Rep. James Seccombe of Ohio has introduced a bill in Congress making it a criminal offense to discriminate against Negroes in admittance to theatres or in segregating them from white patrons.

Similar bills have been introduced in state legislatures. The anti-discrimination movement is strong in Ohio, where theatre managers have been fined on complaints of Negro patrons.

Postpone 'Baby' Appeal

ALBANY, March 13.—Argument on "The Birth of a Baby," scheduled for today before the N. Y. Court of Appeals, has been put over until the next term. Its ban for exhibition in New York State was upheld last year by the Appellate Division, one dissenting vote having given Sam Citron the right to further appeal.

Actor Guild Ball April 5

Annual ball of the Catholic Actors Guild will be held April 5 at the Commodore. Vice-President Garner, Supreme Court Justice Frank Murphy, former Governor Alfred E. Smith, Governor Lehman and Mayor LaGuardia are among those on the sponsoring committee.

Disney Asks SEC For Registration Of New Securities

(Continued from page 1)

public offering of stock in the Disney enterprise, which heretofore has been wholly in the hands of the Disney family, shows that the highest remuneration paid to any of its officials in 1939 was $108,298 to Walt Di[illegible] as president.

Other officials' salaries were: $54,185 to Roy Disney, executive vice-president; $14,335 to Gunther Lessing, vice-president; $8,099 to Edward M. Francis, treasurer, and $9,711 to George E. Morris, secretary.

It was also shown that the company paid $156,457 to Kay Kamen, Ltd., and $14,774 to Kay Kamen of Canada for licensing services, and $80,000 to Leopold Stokowski for musical direction.

Warners Make Own Ad Display Banners

Warners, effective immediately, will manufacture and distribute its own line of silk screen displays, Gradwell L. Sears, general sales manager, disclosed yesterday. The displays will be available under the Warner advertising accessories rental plan.

Heretofore such displays were procured by exhibitors only from outside sources in each territory. Four sizes of banners will be made by Warners on all films beginning with "Virginia City."

Cincinnati's Bingo Receipts Decline

CINCINNATI, March 13.—January Bingo receipts were somewhat below December here. Based on playing permits issued by City Manager C. O. Sherrill, the records of Police Chief Eugene T. Weatherly shows that 225,929 players paid a total of $178,727.23 at 202 parties in January. Prizes amounted to $42,701, leaving net profit of $136,026.23 to the sponsoring organizations. December figures show total attendance of 242,719 at 202 parties; receipts, $193,637.57; prizes, $46,803.50, and net profit, $146,834.07.

Payne in Squabble At Texas Hearing

DALLAS, March 13.—Federal Trade Commissioner George H. Payne yesterday engaged in a sharp exchange with Darrell Yates, manager of KRBA, during one of a group of hearings on station ownership. Payne told Yates if he appeared before the commission he could not get a station license because of his attitude.

The hearing seeks to establish that Dr. James G. Ulmer of Tyler is the hidden owner of several Texas stations.

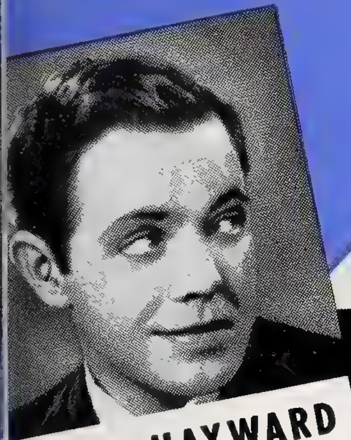
Hoover Asks Finn Drive Be Continued

Herbert Hoover, chairman of the Finnish Relief Fund, yesterday called on the motion picture industry to continue its cooperation with the Fund, including collections from patrons in theatre lobbies, despite the signing of the Finn-Russian armistice. The Fund will continue to function to meet emergencies among Finnish refugees.

The novel a million readers praised, now ready for a high place among 1940's box-office champions

MADELEINE CARROLL
as LIVIA VAYNOL

BRIAN AHERNE
as WILLIAM ESSEX



LOUIS HAYWARD
as OLIVER ESSEX

LARAINE DAY
as MAEVE O'RIORDEN

MY SON, MY SON!

Edward Small's distinguished production of the famous best-seller by Howard Spring

"Two Loves have I... must they break my heart..."

William Essex, the father; brilliant, strong-hearted, good . . . Oliver Essex, his son; young, gay, careless of life, careless of love . . . and Livia, loving them both . . . torn between their love for her . . .

The year's mightiest novel brought to flaming life upon the screen by a perfect cast!

Edward Small presents

MADELEINE CARROLL

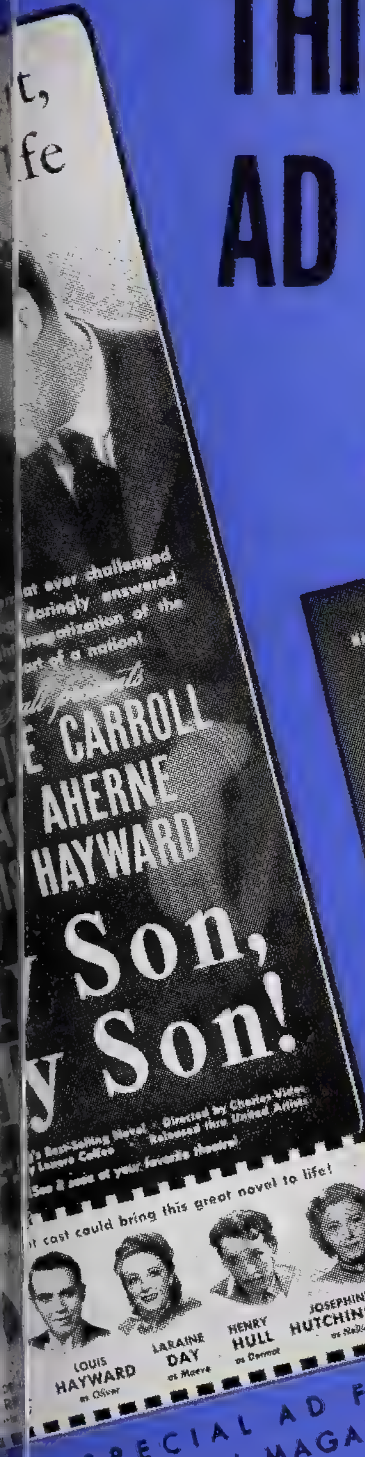
BRIAN AHERNE · LOUIS HAYWARD

My Son, My Son!

with LARAINE DAY · HENRY HULL · JOSEPHINE HUTCHINSON · SOPHIE STEWART
BRUCE LESTER · Screenplay by Lenore Coffee · Directed by Charles Vidor · Released thru United Artists
From HOWARD SPRING'S best-selling novel — praised by more than a million readers

(SEE IT SOON AT YOUR FAVORITE THEATRE)

PRE-SOLD TO A MIGHTY PUBLIC OF 7,000,000 MAGAZINE READERS BY THIS SMASH NATIONAL AD CAMPAIGN . . . . .



t,
fe

at ever challenged
daringly answered
tagonization of the
art of a nation!

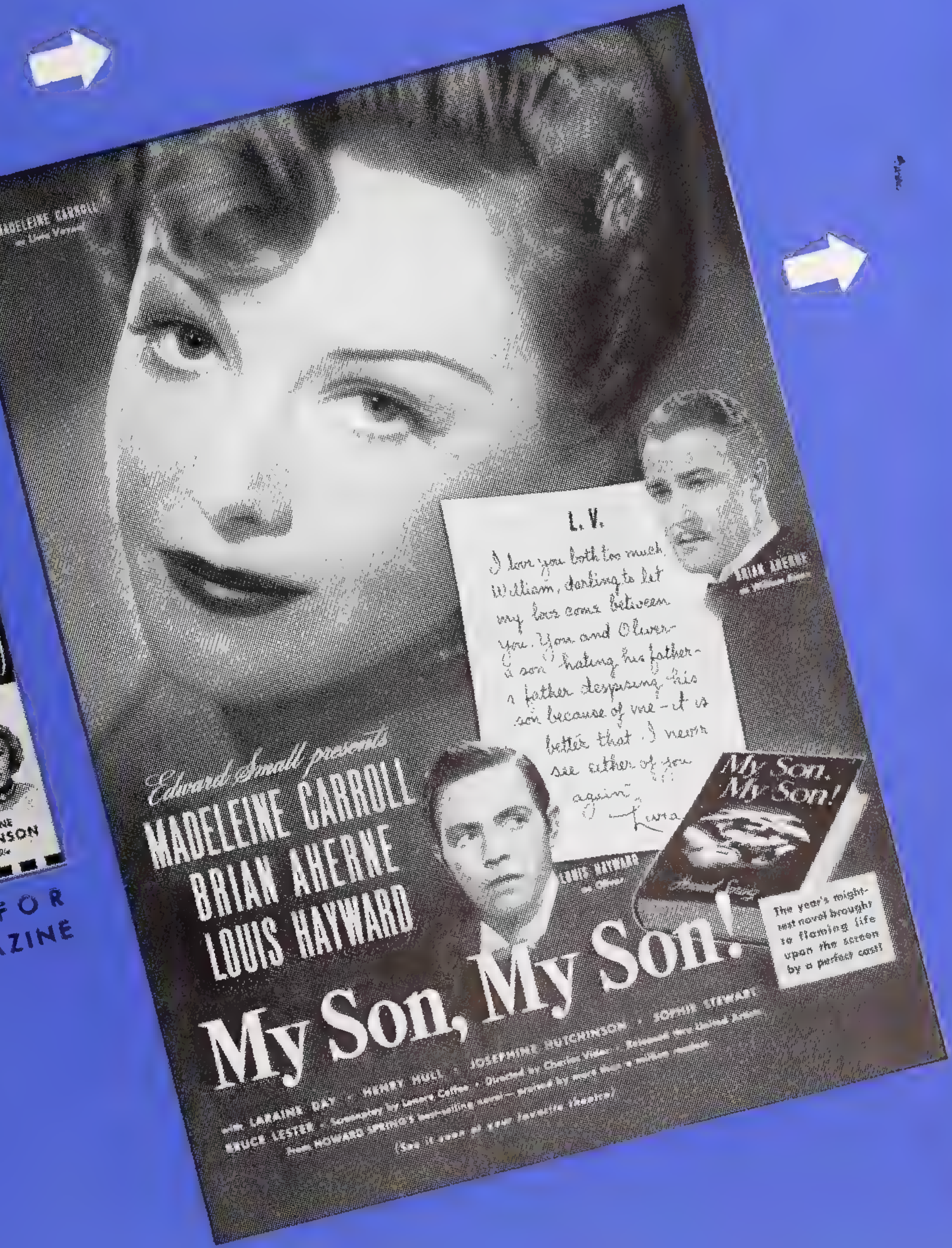
CARROLL
AHERNE
HAYWARD

Son,
Son!

cast could bring this great novel to life!

LOUIS HAYWARD as Oliver
LARAINE DAY as Maeve
HENRY HULL as Dermot
JOSEPHINE HUTCHINSON as Nellie

SPECIAL AD FOR PARENTS' MAGAZINE



L. V.

I love you both too much, William, darling to let my love come between you. You and Oliver— a son hating his father— a father despising his son because of me—it is better that I never see either of you again.
—Livia

My Son, My Son!

Edward Small presents

MADELEINE CARROLL
BRIAN AHERNE
LOUIS HAYWARD

My Son, My Son!

The year's mightiest novel brought to flaming life upon the screen by a perfect cast!

with LARAINE DAY · HENRY HULL · JOSEPHINE HUTCHINSON · SOPHIE STEWART
BRUCE LESTER · Screenplay by Lenore Coffee · Directed by Charles Vidor · Released thru United Artists
From HOWARD SPRING'S best-selling novel — praised by more than a million readers
(See it soon at your favorite theatre)

NATIONAL RELEASE DATE MARCH 22 . . .

...when the attention of a coast to coast public will be focussed on the big-space ads in . . .

LIFE
PARENTS' MAG.
GLAMOUR
MODERN SCREEN
PICTURE PLAY
MOTION PICTURE
HOLLYWOOD MAG.
MOVIE STORIES
SCREENBOOK
SCREEN GUIDE
MOVIE MAG.
MOVIE LIFE
PERSONAL ROMANCES

"Clark and Joan are doing okay!"
"Sure, that's the stuff that beat 'Too Hot To Handle' in Philly and is packing 'em in at Columbus, Cleveland, Reading, Pittsburgh, Providence and all openings!"
"Yippee! Another M-G-M hit! 'Northwest Passage' terrific and now 'Strange Cargo!'"

Presenting the industry's new sensation!

CLARK GABLE • JOAN CRAWFORD

"STRANGE CARGO"

with IAN HUNTER • PETER LORRE • PAUL LUKAS • Albert Dekker • J. Edward Bromberg • Eduardo Ciannelli • A FRANK BORZAGE PRODUCTION • *Screen Play by Lawrence Hazard • Based on the Book, "Not Too Narrow, Not Too Deep" by Richard Sale Directed by Frank Borzage • Produced by Joseph L. Mankiewicz • A Metro-Goldwyn-Mayer Picture*

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]. 47. NO. 53 NEW YORK, U. S. A., FRIDAY, MARCH 15, 1940 TEN CENTS

Disneys Given New Contracts For 7 Years

Walt Gets $2,000 Weekly; Life Heavily Insured

New long term contracts have been given Walt Disney and Roy Disney by Walt Disney Productions.

Walt Disney's contract as executive production manager is for seven years at $2,000 weekly plus certain traveling and other expenses. Roy Disney's contract is for seven years at $1,000 weekly and traveling expenses as business manager.

The company has insured Walt Disney's life for $1,500,000.

It was disclosed that a large part of Disney Productions' new $4,000,000 financing will go to pay promissory notes held by the Bank of America Trust & Savings Association of California, with which the company's new studio and current productions were financed.

"Fantasia," one of the new productions, featuring the Philadelphia Phil-

(*Continued on page* 5)

Second Exhibitor Freed of Lottery

Special Sessions Court in Brooklyn has thrown out a second case against an exhibitor on lottery charges.

Following reversal this week of the conviction of James May, former manager of the Atlantic, Brooklyn, the court acquitted Christy Carnavos, manager of the Momart, by a three-to-one decision.

While no written opinion was given, the majority of the court pointed out that its acquittal of Carnavos was based on the fact that the theatre per-

(*Continued on page* 5)

Ostrer to Survey Television in U. S.

Isidore Ostrer, chairman of the board of Gaumont British Picture Corp. and executive of Baird Television, arrived yesterday on the *Rex* for an indefinite stay. He said the purpose of his visit is to investigate the television situation here.

Asked whether Baird, which is controlled by Gaumont British, plans to enter the American television field, Ostrer said this would depend on what is determined during his investigations. On arrival, he was eager to learn

(*Continued on page* 5)

Foresee 'Consent Decree' End In Government Anti-Trust Suit

Suggested changes in film trade practices and procedure which are contained in the report of the Department of Commerce, which was recently submitted for study to the Department of Justice, are now expected to constitute a basis for an out-of-court settlement of the pending anti-trust suit.

While it is, of course, not certain that an out-of-court settlement will be made, confidence is increasing that the present case may not go to trial, resulting in the saving of considerable time and expense both to the Government and to the industry.

Department of Justice officials frequently have stated that any settlement which is made can be made only with the approval and consent of the court, which means that only a consent decree embodying the purpose and aims of the Government's suit would impel the Department of Justice to accept an out-of-court settlement.

The talked-of settlement centers around several important modifications of trade practices. A radical change in selling may result. This change may mean that pictures would be screened before being offered for sale, entailing an elimination of required block booking. Localized buying of pictures, rather than national circuit buying, is also under discussion.

As to divorcement, it is pointed out that Thurman Arnold, in a recent statement, proposed an arrangement under which the circuits would become separated from distribution over a protracted period, perhaps as long as 10 years.

Films Don't Launch Trends—Ramsaye

Motion pictures of "socially conscious," or propaganda content are more likely to follow trends and movements than to start them, Terry Ramsaye, editor of *Motion Picture Herald,* told a Princeton University class studying "Public Opinion," in a lecture there yesterday.

"The makers of motion pictures of what is called 'the industry,'" observed Mr. Ramsaye, "are engaged in a business concerned with getting the customers to buy seats at the box-office. They do not profess to be educators, reformers, uplifters or authors of movements. They should not be asked to be any of those things either.

"The many pressures toward a 'socially conscious' screen are from those who have what they think is a 'message' that they would like to have

(*Continued on page* 8)

'U' Directors Elect, Hear Profits Today

Financial report of Universal Pictures Co., Inc., for the first quarter of the current fiscal year, which Wall Street estimates will disclose a net of approximately $300,000, will be submitted to the company's stockholders at their annual meeting in Wilmington today.

Profit for the corresponding quarter a year ago was $157,990.

J. Cheever Cowdin, Universal board

(*Continued on page* 2)

Critics Board Train Virginia City-Bound

By SAM SHAIN

ABOARD THE FORTY-NINER, EN ROUTE TO RENO, March 14.—The Commodore Vanderbilt brought Mort Blumenstock and 29 feature writers, critics and trade paper reporters into Chicago this morning en route to the premiere of Warners' "Virginia City" at Virginia City, Nevada.

The New York party was joined in Chicago by Critics Harold W. Cohen, Pittsburgh *Post-Gazette;* Karl Krug, Pittsburgh *Sun-Telegraph;* Harry Martin, Memphis *Commercial-Appeal;* Earl Pomroy, Minneapolis *Tribune;* Isabel McDonald, Milwaukee *Sentinel;* Nat Gross, Chicago *Herald-American;* Tom Schaeffer, Acme News Service; Dan Thrapp, United Press.

At Omaha tonight the party will pick up Barney Oldfield, Nebraska *State Journal.*

About 20 members of the party will

(*Continued on page* 8)

Plan Network Show To Battle Neely Bill

A suggestion for a radio network program enlisting public support against the Neely bill was discussed at a meeting yesterday in the office of Howard Dietz, M-G-M advertising and publicity director.

Among those attending were Harry Brandt, head of the Brand circuit and president of the New York I.T.O.A.; Oscar A. Doob, Loew theatres adver-

(*Continued on page* 5)

U.S. Cancels Aim of Coast Witness Quiz

Western Exhibitors Will Testify at N. Y. Trial

The Government yesterday dropped is proposal to take the pre-trial depositions of independent exhibitors on the Coast.

The unexpected reversal in position by the Government followed modification to the local anti-trust division by Special Assistant Attorney General Paul Williams, now on the Coast, that Western exhibitors will testify personally at trial instead of by deposition.

Williams further stated in a telegram that the Government was dropping its proposed action because of the stand taken by attorneys for the majors. Counsel for the defendants on Wednesday had asked for a list of those witnesses who the Government wished to examine before deciding whether to consent to the Government request.

Several attorneys had objected then

(*Continued on page* 5)

Ullman Quits Pathe To Make RKO Films

Frederic Ullman, vice-president and general manager of RKO Pathe News for the past three years, will resign April 1 to become a producer under Lee Marcus at the RKO Hollywood studio.

Frank Donovan, production manager of the newsreel, will be elected vice-president of RKO Pathe News, succeeding Ullman. Walton C. Ament, news editor for the past two years, will be named general manager and editor of the newsreel. Ned E. Depinet, RKO vice-president and dis-

(*Continued on page* 5)

K-A-O, Skouras Ask U. S. to Approve Deal

Deal by which K-A-O and Skouras Theatres would take over four Bronx theatres each from the Springer-Cocalis Circuit has been submitted to the Department of Justice in Washington for approval.

If the Department's approval is obtained, the deals will be concluded immediately.

The deals were reported to Washington in accordance with the standstill agreement in the Government's New York anti-trust suit, under which

(*Continued on page* 5)

'U' Directors Elect, Hear Profits Today

(Continued from page 1)

chairman; Nate J. Blumberg, president; Charles D. Prutzman, vice-president, and Peyton Gibson, secretary, will attend the meeting in Wilmington today. All directors are scheduled to be reelected.

No recapitalization plan for the company has been completed so there will be no action on this matter at today's meeting.

Universal Corp., parent holding company of Universal Pictures Co., Inc., reported a profit of $999,110 for the fiscal year ended Oct. 28, 1939. For the preceding fiscal year the company reported a loss of $827,398.

At the corporation's annual meeting the following directors were reelected: Blumberg, Paul G. Brown, Daniel C. Collins, Cowdin, Preston Davie, William Freiday, Ottavio Prochet, Prutzman, J. Arthur Rank, Budd Rogers, Daniel M. Sheaffer and W. H. Taylor, Jr.

Annual election of officers is scheduled for April 4.

Stahl and Roosevelt Break Negotiations

HOLLYWOOD, March 14.—Negotiations whereby John M. Stahl would produce one picture for James Roosevelt's Globe Pictures for United Artists release have been discontinued.

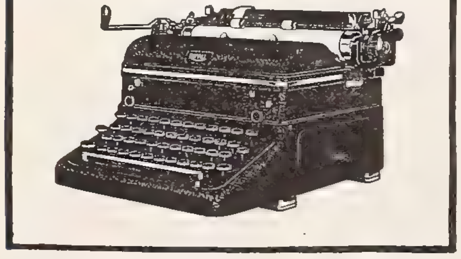
It could not be learned whether the action is final or if the negotiations will be resumed at some later date.

Stahl's negotiations for a multiple picture deal with Columbia are still in progress and may be concluded within the next few days.

Exhibitors in R. I. Oppose Neely Bill

PROVIDENCE, March 14.—Rhode Island exhibitors are opposed to the Neeley bill. A state-wide poll shows that 31 theatre managers opposed the legislation and seven favor it. The survey was undertaken by William E. Spragg of M. & P. Antonio Romano of Associated and Edward L. Reed of the Strand. The figures include both independent and circuit houses.

ROYAL PRESENTS THE NEW No. 1



GREATEST typewriter ever produced! With MAGIC* Margin and other sensational Features of the Future. See this sensational New Easy-Writing Royal now.

*Trade Mark

Royal Typewriter Company, Inc.
2 Park Avenue, New York, N. Y.
Branches and Agencies the World Over

ROYAL WORLD'S NO. 1 TYPEWRITER

Purely Personal

BARNEY BALABAN, Paramount president, will accompany Paramount newsreel officials to Washington tomorrow to attend the annual dinner given by White House correspondents for PRESIDENT ROOSEVELT at the Willard Hotel. Paramount News has produced a political satire reel for the affair.

•

FRANK GILLMORE, president of Associated Actors and Artistes of America, and PAUL N. TURNER, general counsel, leave tonight for a vacation trip to the West Indies.

•

EDWIN A. AARON, assistant to WILLIAM F. RODGERS, general sales manager of M-G-M, leaves tonight for three weeks of deep sea fishing off Florida.

•

HARRY COHN, Columbia president, will come to New York from Florida with JACK COHN and NATE SPINGOLD on Monday, before returning to the Coast.

•

MAURICE SILVERSTONE, EMANUEL SILVERSTONE and CHARLES SCHWARTZ of United Artists are expected from the Coast early next week.

•

SID EHRLICH of Wilbar Photo Engraving is the father of a boy born to his wife, CLAIRE, at Madison Park Hospital.

•

CHARLES BARRON, M-G-M exploitation representative in Pittsburgh, observes a birthday today.

•

MEL HEYMANN of HOWARD DIETZ's publicity staff at M-G-M leaves today for a Florida vacation.

•

GEORGE J. SCHAEFER, RKO president, will leave for Florida today for a brief vacation.

•

Y. FRANK FREEMAN, Paramount studio head, is expected from the Coast on Monday.

•

MATTHEW J. FOX, Universal vice-president, will leave for the Coast today.

'Apollo' Screening At Ossining Tonight

Editors of 31 college newspapers, as well as a group of about 20 newspaper and trade paper representatives, will gather at the St. Moritz Hotel this evening for dinner as guests of 20th Century-Fox, prior to a screening of "Johnny Apollo" at the Victoria Theatre, Ossining, N. Y.

The home town of Sing Sing Prison was selected for the preview for college men since the film concerns a college boy who ends his career in prison. Warden Lewis E. Lawes and other officials of Sing Sing will see the film at the Victoria. The visiting editors will be guests of 20th Century-Fox here for three days, leaving on Sunday afternoon after a round of entertainment.

First Academy Release

"Beyond Tomorrow," first feature made by Academy Productions for RKO, will be released April 19. The original title was "And So Goodbye." Lee Garmes, president of Academy, is in New York editing the film, the first of three Academy will make for RKO release.

JOSEPH BERNHARD, general manager of Warner Theatres, after six weeks at the Lenox Hill Hospital, is leaving on Monday for a short period of convalescence in Miami Beach.

•

BEN WASHER, LEE SCHUBERT, JOHN GOLDEN, IRVING CAESAR, JOHN D. HERTZ JR., JOHN EMERY, AL LEWIS and MARTIN BECK at Sardi's for lunch yesterday.

•

S. BARRET MCCORMICK, RKO advertising and publicity director, will leave for the Coast today for a two weeks visit.

•

SAL DEMANO, assistant at the Loew's State, Boston, is in the hospital following a nervous breakdown.

•

ANITA LOUISE has returned to the Coast after a personal appearance engagement here.

•

SAM KAPLAN of Century Projector Corp. is in Florida.

•

EMIL K. ELLIS, attorney, is vacationing in Havana.

Grosses Slump Here As Holy Week Nears

With the approach of Holy Week, Broadway grosses slumped during the past week. "Northwest Passage" led the first run parade at the Capitol with and estimated $55,000 for its first stanza and it holds over.

"Too Many Husbands," with stage show, at the Music Hall drew an estimated $74,000 and made way yesterday for "Young Tom Edison." At the Roxy, "My Little Chickadee" opens today after one week for "Vigil in the Night," with stage show, which grossed an estimated $35,000.

"Three Cheers for the Irish" with Johnny McGee's band on the stage, drew only an estimated $25,000 at the Strand, but holds over for a second stanza. "The Grapes of Wrath," which winds up an eight week and two-day run at the Rivoli on March 21, took an estimated $18,000 for the seventh week.

Ampa Nominating Committee Named

Rutgers Neilson, RKO publicity manager, was elected chairman of the Ampa nominating committee at a business meeting at Dempsey's restaurant yesterday.

The committee also includes Jules Zeigler, Eli Sugarman, Edward Schreiber, Lou Lifton, Paul Benjamin and Martin Starr.

Paul Lazarus, incumbent president, says he is not a candidate for reelection. The committee will report its slate of candidates for officers next Thursday.

Providence Competition

PROVIDENCE, March 14.—A new threat of Sunday competition, particularly for the downtown first runs, became known when it was announced that the Metropolitan, leased by Paul Bromley and John Nowlan of Boston, will offer a series of "Sunday Star Parades" beginning on Easter. Each "Parade" will be a stage show featuring a "name" band plus several topline entertainers. Two performances are planned each Sunday at $1 top.

Newsreel Parade

The Russo-Finn peace pact as discussed by Herbert Hoover and Finnish Minister Procope, and the Byrd expedition at the South Pole share the spotlight in the new issues. The reels and their contents follow:

MOVIETONE NEWS, No. 54—Byrd at Antarctica. Finn Minister discusses [illegible] situation in Washington. Britain's King and Queen tour arms factory in Scotland. Open tomb in Egypt. Archbishop Spellman is inducted. Dog fashions. Football training at Annapolis. Girls in soft ball training. Skiing in Colorado. Boys build schooner. Lew Lehr.

NEWS OF THE DAY, No. 252—Hoover urges relief for Finns. Byrd expedition at the South Pole. Army planes in mass flight over California. Unearth tomb in Egypt. Hat fashions. Wrestling.

PARAMOUNT NEWS, No. 57—Rangers vs. Bruins hockey game. Paychek in training for Louis fight, champion also prepares. Paint Golden Gate bridge. Adolph Zukor in Brazil. Mrs. Roosevelt "adopts" Philadelphia girl. Primary election in New Hampshire. LaGuardia addresses Poles in New York. Herbert Hoover and Finnish Minister Procope discuss peace pact. Byrd expedition at the South Pole.

RKO PATHE NEWS, No. 69—Byrd expedition. Flying fortresses in mass flight. Hoover and Finn Minister discuss peace. Test new steam auto. Golden Gate bridge repainted. Motor cycle races in California. Boston Bees in training.

UNIVERSAL NEWSREEL, No. 858—War in Finland ends. British King and Queen in Scotland. Army planes in formation flight over California. New wood-burning auto. Easter fashions. Admiral Byrd at South Pole. Basketball tournament in New York. Navy gridiron squads in practice. Skiing at Oregon.

RKO's Annual Ball To Be Held Monday

RKO's annual ball, which this year includes a La Conga contest, will be held in the Grand Ballroom of the Astor Monday night with the Rimacs and Bob Chester's orchestra supplying the music. Confined in the past to members of the theatre circuit in the field, this affair will be attended by home office representatives as well.

Among those expected to attend are: Malcolm Kingsberg, John J. O'Connor, Leon Goldberg, Fred Meyers, Max Fellerman, Bill England, Harry Mandel, Charles B. McDonald, Sol A. Schwartz, Louis Goldberg and H. Russell Emde.

Yates Enroute East

HOLLYWOOD, March 14.—Herbert J. Yates left here for New York today, after three weeks of conferences at the Republic studio.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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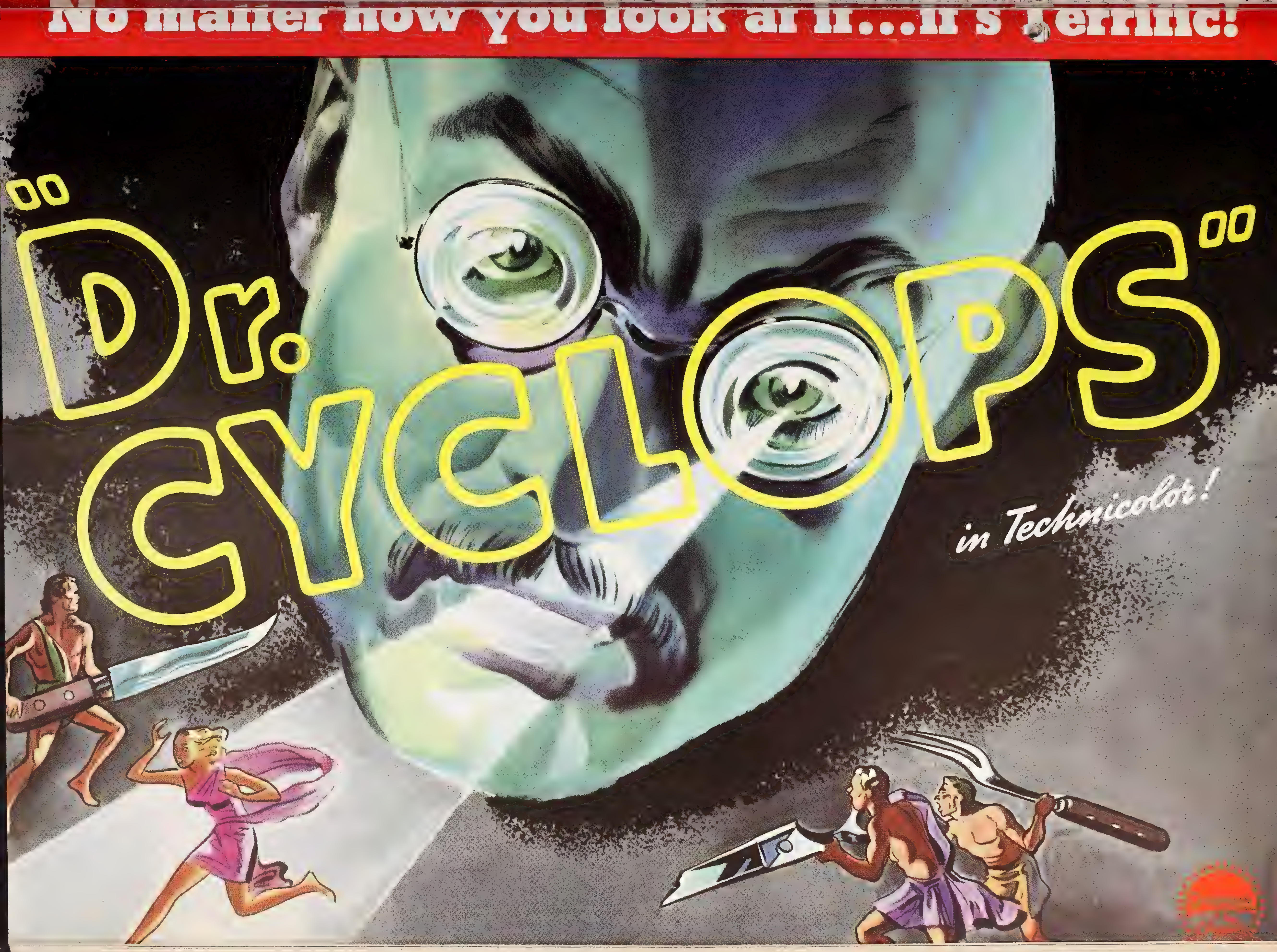

No matter how you look at it...it's Terrific!
"Dr. CYCLOPS"
in Technicolor!

THOSE SMILIN

THEY'RE COUNTING THE MI

Because that's when they (*and* over 200 other smiling showmen) play 1940's No. 1 laff-special

"3 CHEER

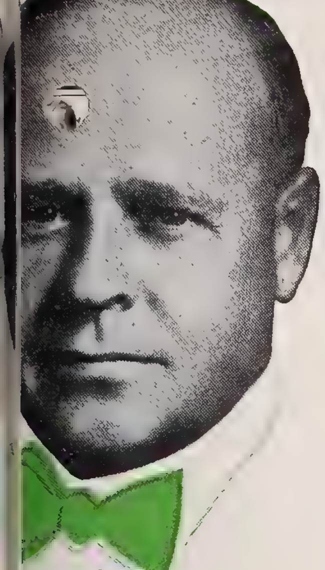
It's the down-to-earth comed

Starring PRISCILLA

(Mc) LANE (Mc) MI

Look! The cast is McNificent!

G IRISH EYES!



RANK
ALKER

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McSILVER

UTES TO ST. PATRICK'S DAY

S FOR THE IRISH"

you've been screaming for!

HOMAS
CHELL with DENNIS (Mc) **MORGAN**

ALAN
(Mc) **HALE**

VIRGINIA GREY • IRENE HERVEY
WM. LUNDIGAN • Directed by LLOYD BACON
Original Screen Play by Richard Macaulay and Jerry Wald
A Warner Bros.-First National Picture

Confucius talk too much.
McBuddha say:
...'Three Cheers for the Irish' bring Ten Thousand cheers for WARNERS, begorra!

Critics Board Train Virginia City-Bound

(*Continued from page* 1)

continue to Hollywood following the premiere.

At Clinton, Iowa, local exhibitors boarded the train and handed the trade paper delegation a petition to give Darryl Zanuck asking him to hold the premiere of "Lillian Russell" at Clinton, where the actress was born.

Jake Wilk, Warner story editor, pleased many a palate with an advance wire to a Chicago delicatessen ordering smoked delicacies delivered aboard the train on its arrival there. As a result, many were spared from doing without their accustomed smoked salmon, pumpernickel bread, sturgeon and smoked white fish.

One writer, anxious to beat the others to breakfast as the Commodore Vanderbilt neared Chicago found himself suddenly cut off between eggs and coffee when trainmen, without warning, detached the diner preparatory to connecting the special cars to the Forty-Niner. The waiter, carrying the writer's order, disbelieved his eyes when he saw himself being slowly moved away from his customer on the other part of the train.

Helping Blumenstock to play host are Sid Rechetnik, Jerry Keyser, John Harkins and Ralph Budd of Warners. Blumenstock presented the women guests aboard the train with souvenir compacts. The men just ride.

Many Notables to Attend Virginia City Ceremonies

VIRGINIA CITY, March 14.—Death Valley Scotty is enroute here with a mule team to join in the festivities marking Saturday night's premiere of Warners' "Virginia City."

Mario Chamblee, Metropolitan Opera singer; Bonislaw Gimple, noted violinist, and his brother, Jacob, concert pianist, will perform.

John H. Whitney is bringing his own $20,000 silver saddle and will ride a horse in the parade Saturday morning. Governors of five states will be present for the ceremonies.

Jim Jeffries, ex-world's heavyweight champion, will be here too.

New York Review

"Double Alibi"

(*Universal*)

A mystery-newspaper yarn involving a triple murder, an innocent man hunted for the crime, a romance with a newspaper woman, and the uncovering of an unsuspected culprit make up an active and entertaining piece of screen merchandise.

In the lead is Wayne Morris, aided by Margaret Lindsay, and William Gargan, in particular. Philip Rosen's direction serves to keep the suspense at a high pitch and the pace lively throughout. Ben Pivar produced from a screenplay by Harold Buchman, Roy Chanslor and Charles Grayson, based on a story by Frederick C. Davis.

Morris is suspected of the murder of his divorced wife when he is seen fleeing from the house after she is killed. Escaping, he enters a newspaper office, poses as an expected, but unknown new reporter, and falls in with Miss Lindsay, who is working for Gargan, city editor. She learns the true identity of Morris, seeks to help him, with the aid of Roscoe Karns, photographer, and is led to believe that he is really the killer. But Morris gathers his clues cleverly, and at a police show-up, discloses the real murderer.

Running time, 60 minutes. "G."* CHARLES S. AARONSON

---

*"G" denotes general classification.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN
A Republic PICTURE

"I've taught reading, writing, history and logic. They say it can't be done, but maybe I'll be able to teach you to love me."

Monogram Branch To Stubbins, Hulling

HOLLYWOOD, March 14.—Howard Stubbins and Mel Hulling today bought out the interest in the Pacific Coast Monogram franchise of Ray Olmstead.

Stubbins becomes president of the company, which has exchanges in Los Angeles, San Francisco, Portland and Seattle. Stubbins and Olmstead have been partners in the Monogram enterprise for years, the latter retiring to devote his time to the circuit of Arizona theatres in which he is interested.

Hulling, former West Coast district manager for Monogram, will make his headquarters in San Francisco. Martin Solomon has been named head of the Los Angeles exchange.

Senate in Kentucky Passes Tax Slash

FRANKFORT, Ky., March 14.—The Kentucky Senate last night passed the bill to reduce the state admission tax on admissions of more than $1, by a vote of 30 to 0. The measure, which has gone to Gov. Johnson for signature, also exempts from the tax dramatic productions and other forms of amusement presented for religious, charitable or educational purposes.

The measure was approved last week by the House by a vote of 74 to 1. Officials of Louisville see the tax as an incentive to road shows, which have in the past avoided the city because of the high admission tax.

Wilcox on Mission To Washington, D. C.

Herbert Wilcox, RKO producer, left for Washington last night to confer with British Embassy officials on matters likely to determine whether he will produce his next picture in England or in Hollywood.

Wilcox will leave for Hollywood on personal business immediately following his Washington conference. No decision has been made yet on his next RKO production.

Films Don't Launch Trends—Ramsaye

(*Continued from page* 1)

delivered to the audience which the screen theatre has assembled by offering entertainment.

"If anybody wants to study economics, politics and social movements he can go home and read a book. No research is to be done in an opera chair.

"The adoption of themes of 'so[illegible] purpose,' which we may observe now and then, is for the precise purpose of acquiring a part of the public interest for the amusement boxoffice.

"The motion picture screen can add to the existing moods and movements, abet the hysterias, encourage the dreams, but as it is now constituted it can not start anything—and should not, will not. The big broad audience of the screen is such that must turn to what it has heard about—exploration is not to be made by the millions.

"One day, perhaps, motion pictures will be inexpensive enough, in the making, the distribution and the showing, so that theatres and audiences can be classified, and the minorities with special levels of taste and discrimination will not, as now, have to accept the unyielding dictation of the masses whose support is necessary to the very costly medium. A few thousand readers can made a book a success, but that many patrons of a motion picture can not pay for the grease paint in an 'A' production."

The Public Opinion course at Princeton is conducted by Dr. Harwood L. Childs of the School of Public and International Affairs at Princeton. He is also managing editor of *Public Opinions Quarterly*, which has devoted attention to the screen.

Denver Exhibitors To Meet March 30

DENVER, March 14.—The Theatre Owners and Managers of the Rocky Mountain Region will hold their annual convention at the Cosmopolitan Hotel here March 30. Charles R. Gilmour, president, will preside.

Founders' Day will be celebrated with a banquet and midnight show in the evening. The banquet will be held at the Shirley Savoy Hotel. Robert O'Donnel, chief barker of the Dallas Variety Club, and John Harris, national chief barker, from Pittsburgh, will speak.

Rick Ricketson, president of the Rocky Mountain Screen Club, will be toastmaster. Proceeds of a midnight show at the Broadway Theatre will go to charity.

Schedule Bowling Match

A bowling match between members of the RKO publicity department and trade press representatives will be held next Wednesday night at the Radio City alleys. Lou Gaudreau, Ken Hallam, Jack Lewis, Jack Level and Jimmy Boyle will hurl for the film company, and Al Steen, Joe Priore, Lionel Toll, Lew Mentlik and Ray Gallagher for the trade papers.

'Wind' in 982 Cities

Bookings to date on "Gone With the Wind"' total 1,104 in 982 cities in the United States and Canada, including 20 three-a-day continuous engagements set by M-G-M yesterday.

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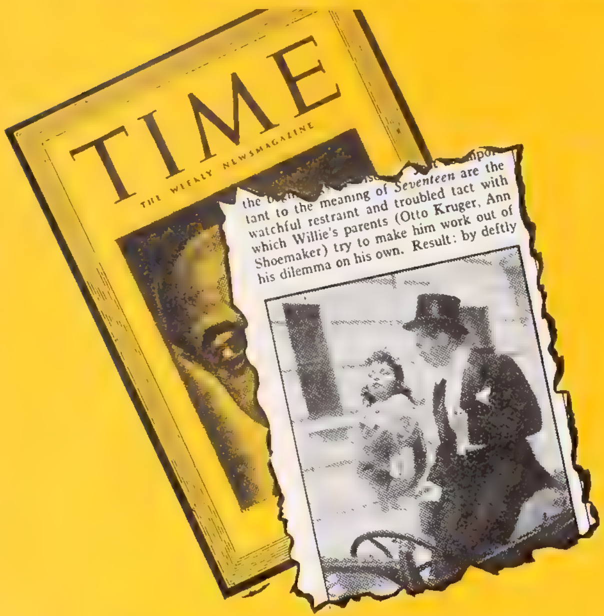
MEMPHIS TENN..

Paramount's "SEVENTEEN"

HAS CLASS APPEAL!

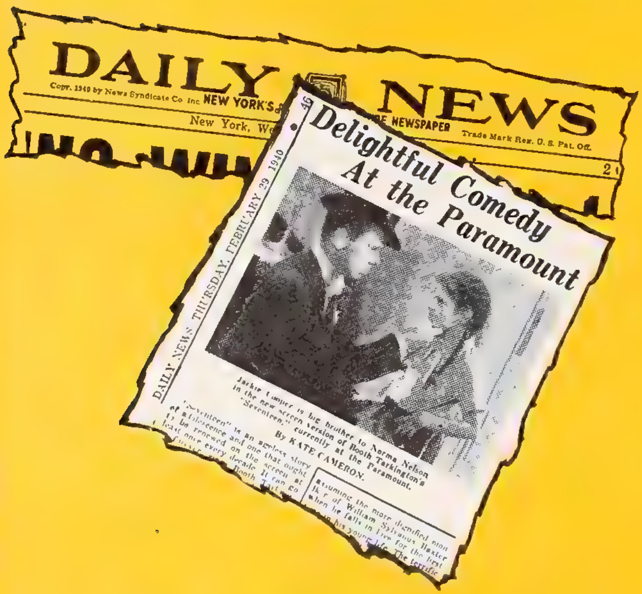

TIME
THE WEEKLY NEWSMAGAZINE

the b... to the meaning of *Seventeen* are the tant to the meaning of *Seventeen* are the watchful restraint and troubled tact with which Willie's parents (Otto Kruger, Ann Shoemaker) try to make him work out of his dilemma on his own. Result: by deftly

High hat, hard to please, Time Magazine's critical critic writes rave review, enthusing: "In the 24 years since young Jack Pickford played Willie Baxter in the silent screen version of 'Seventeen', cinemadicts forgot how much charm there is in that classic of calf love on Main Street. Deftly making youth's callow crisis also a crisis of adult intelligence, Director Louis King has made one of the few recent Hollywood remakes worth remaking."

Paramount's "SEVENTEEN"

HAS MASS APPEAL!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New York, W

46 DAILY NEWS, THURSDAY, FEBRUARY 29, 1940

Delightful Comedy At the Paramount

Jackie Cooper is big brother to Norma Nelson in the new screen version of Booth Tarkington's "Seventeen," currently at the Paramount.

By KATE CAMERON.

Mass-minded N. Y. Daily News joins Time in raving about mass appeal of "Seventeen." "A delightful comedy that will entertain adults as well as the Harold Teens and Lillumses. The latter flocked to the theatre in such droves that the police were called to keep them from stampeding up and down the aisles. Jackie Cooper is a perfect choice . . . Betty Field is the most promising young actress on the stage and screen today."

Paramount's "SEVENTEEN"

HAS CASH APPEAL!

Records established by "Seventeen" at New York Paramount: Best week-end gross (Saturday and Sunday) in 7 Years; Best Second Week Business in 2 Years.

And in key cities from coast to coast "Seventeen" is running more than 25% ahead of the Jackie Cooper-Betty Field success "What a Life."

No wonder the boys are hot about "Henry Aldrich" the new Paramount Jackie Cooper starrer, a sequel to "What A Life" and co-starring those two phenomenal young stars of the smash Broadway show "Too Many Girls"...Leila Ernst and Eddie Bracken. This picture is now in production for Fall release!!!

Jackie Cooper and Betty Field

in **"SEVENTEEN"**

with **Otto Kruger** · **Betty Moran** · Directed by Louis King

Screen play by Agnes Christine Johnston and Stuart Palmer · Based on the Story by Booth Tarkington and the Play by Stuart Walker, Hugh Stanislaus Stange and Stannard Mears

DO NOT REMOVE

Alert,
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to the Motion
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First in
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Accurate
and
Impartial

V. 47. NO. 54 NEW YORK, U. S. A., MONDAY, MARCH 18, 1940 TEN CENTS

First Quarter Net $460,631 By Universal

More than Doubles Profit That of Year Ago

Universal on Saturday reported net earnings of $460,631 for the first quarter of its current fiscal year, the 13 weeks ended Jan. 27, last. The report compares with net of $157,990 for the corresponding quarter a year ago.

The current year's figure is before Federal income taxes and special amortization adjustment reserves, the latter amounting to $5,000 per week. After deduction of such reserves, but before Federal income taxes, net for the quarter was $395,631.

The amortization adjustment was made, according to J. Cheever Cowdin, Universal chairman, because of a trend toward increasing domestic income in ratio to the foreign receipts of the company.

Cowdin stated, however, that foreign receipts are holding up well in view of current international market conditions.

All Universal Directors Reelected by Stockholders

Wilmington, March 17.—Stockholders of Universal Pictures Co. reelected all directors at their annual meeting here Friday.

Common stockholders reelected Nate J. Blumberg, Paul G. Brown, Daniel C. Collins, J. Cheever Cowdin, Preston Davie, Ottavio Prochet, Charles D. Prutzman, Budd Rogers, Daniel M. Shaeffer and Willis H. Taylor, Jr.

First preferred holders reelected J. Dabney Penick and Samuel I. Posen. Second preferred holders reelected William Freiday.

Soundmen on Coast Ask Higher Wages

Hollywood, March 17. — Soundmen's Local 695, of the I.A.T.S.E., yesterday in letters to all independent lots except Republic, and to all sound servicing organizations, demanded what amounts to more than 54 hours' pay for 42 hours of work as part of a modification of conditions of employment.

Letters were sent to Talisman, Selznick International, General Service and Grand National lots, RCA, Erpi, Glen Glenn and other sound companies and public address firms.

Negotiations will be carried on with Republic and major studios later on similar demands, it was said.

Industry Opposes Rule by Legislation —Rep. Alexander

Washington, March 17.—Suggestions by Representative John G. Alexander (Rep., Minn.) that the film industry settle its own problems without legislation have received almost universal support in the industry, it was declared today by the Congressman.

"My remarks regarding the motion picture industry bill (Neely bill) have received widespread notice and attention, and in all but one case my statement was received with approval," he said. "The one word of criticism is from my good friend, W. A. Steffes."

Alexander inserted in the *Congressional Record* Friday two letters, one from an Indiana exhibitor signing himself "A. H.," declaring, "We were coming along nicely with some swell concessions from the producers, all that we needed, and that publicity hound, Arnold, threw a monkey wrench into the whole procedure."

The other letter was from Steffes, charging that Alexander's statements "are dangerous in the present situation and have been gleefully seized upon by the trust."

"The independent home-owned thea-

(*Continued on page 7*)

RKO Sales Meeting Slated Late in May

RKO will hold its annual sales meeting at the Waldorf-Astoria here during the last week in May, according to present plans.

Dates tentatively set are May 26-29 inclusive and the meeting will be a national one.

The company will announce a new season's release schedule of 48 features at the session.

Public to See Big Screen Television

Camden, N. J., March 17.—Large screen television will be given its first public demonstration by RCA at the Home Appliances Exposition to be conducted by the Electrical League of South Jersey at Convention Hall here from April 3 to 6. The television pictures will be projected on a large screen in the auditorium of Convention Hall. RCA previously demonstrated the large screen set to the F.C.C. at a private showing.

U. S. Extends Time For Columbia Plea

The Department of Justice has granted Columbia an additional two weeks in which to determine whether or not the Government's answers to defendants' consolidated interrogatories meet with its requirements.

Columbia originally was scheduled to appear in Federal District court here today either to accept the Government's answers or petition for additional or more detailed information. It now has until March 28 to do this.

Columbia did not consent to join with other defendants in serving consolidated interrogatories on the Government, and the company's right to request additional information of the Government was upheld by Federal Judge Henry W. Goddard in the event it found the Government's consolidated answers unsatisfactory.

Answers to all 59 Government interrogatories were served upon the New York Anti-trust Division Friday by Universal Pictures. Major part of the replies were marked confidential by Universal and will remain undis-

(*Continued on page 7*)

Nevadans Awed by Glamor At 'Virginia City' Premiere

By SAM SHAIN

Virginia City, March 17.—Hollywood transplanted its glamor to this ghost mining town, and the Nevadans, dressed in their best store clothes, gaped at the horde of celebrities and "took in" the lavish show which marked the premiere of Warner Brothers' "Virginia City."

More than 20,000 persons composed the record influx into the town, overburdening all accommodations. In one sector was a "tent city," constructed by Ted Baker, Reno banker, to take care of visitors unfortunate enough not to find shelter elsewhere.

From dawn yesterday until the wee hours of this morning, excitement gripped Virginia City as it re-lived the booming days of its past. Everyone from the urchin to the town's leading "swells" were in convivial moods.

Special trains, one from Hollywood and the other from New York, were greeted with heavy huzzahs. Aboard them came Warner Brothers stars, studio and home office officials and more than 100 writers who sent back

(*Continued on page 8*)

Bioff Appeals To High Court In 1922 Case

Loses Chicago Decision; Still Free on Bail

Chicago, March 17.—Having lost his petition for a writ of habeas corpus, William Bioff, Hollywood I.A.T.S.E. leader, yesterday filed an appeal with the Illinois Supreme Court in his fight to escape a jail sentence imposed on him in 1922.

Chief Justice John Prystalski Friday ruled that Bioff be remanded to the House of Correction to finish his incompleted jail term, but delayed entering an order to this effect until March 25, thus giving Bioff time to make a State Supreme Court plea. Bioff's bail of $5,000 was continued.

Judge Prystalski said that after considering the evidence, he was convinced that his court had no jurisdiction to give Bioff his freedom.

"This court has no pardoning power," he said. "This is a matter of executive clemency."

Judge Prystalski said that the issue

(*Continued on page 8*)

'Apollo' Previewed By College Editors

In the shadow of the Big House, 30 campus rah-rah journalists and some half-dozen film trade paper reporters were guests of 20th Century-Fox at a sneak preview in Ossining of "Johnny Apollo" at Prof. George Skouras's Victoria Theatre Friday night.

It had occurred to Charles E. McCarthy, 20th Century-Fox advertising and publicity director, that it would be a fine thing if the editors of Eastern college publications would assemble in a prison town to pass critical judgment on Darryl F. Zanuck's newest picture. So he sent the boys "up the river"—the Hudson River.

The tack on which the stunt was hung was the fact that Tyrone Power in the film plays the part of a young student who winds up in prison, not without some consolation from a sarong-less Dorothy Lamour, however.

The surroundings were perfect. The proximity to Sing Sing College, where some of our more notorious citizens—who have taken other things—now are taking a post graduate course from Dean Lewis E. Lawes, gave the setting of the preview a unique flavor.

The collegiates—editors of campus

(*Continued on page 8*)

◀ Purely Personal ▶

LEONARD GOLDENSON and SAM DEMBOW, JR., Paramount home office theatre executives, will return to New York today from business visits with the company's theatre associates in Minneapolis and Chicago.

•

LILLIAN BROWN and DOROTHY MAY, secretaries at 20th Century-Fox to CHARLES E. MCCARTHY, advertising and publicity director, and EARL W. WINGART of the publicity department, respectively, sail Wednesday on the *Oriente* for a Havana vacation.

•

BETTY JEAN SAFFLES, daughter of MAURICE SAFFLES, M-G-M manager in Seattle, has become engaged to DON CONDON, booker for the Sterling Circuit and son of DEAN CONDON of the University of Washington.

•

BARNEY BALABAN, LEON NETTER, GEORGE DEMBOW, J. J. MILSTEIN, MARTIN MOSKOWITZ, LEO JUSTIN, EARL WINGART, IRVING KAHN, CARL MOS and LOUIS SHANFELD lunched at Lindy's Friday.

•

CHARLES SMAKWITZ, Warner district manager in Albany, has returned there after two weeks at Miami Beach. W. W. FARLEY, Albany theatre owner, also has returned from the Southern resort.

•

SAMUEL A. SHIRLEY, who retired as Chicago district manager for M-G-M two years ago and has since been living in Los Angeles, is visiting here.

•

ADOLPH SCHIMEL, Universal home office attorney, arrived on the Coast for several days of conferences at the studio.

•

ANTONIO A. ROMANO, general manager of Associated Theatres, Providence, is in New York to book stage shows.

•

SELIG FISHMAN of Fishman Theatres, New Haven, is recovering from a fractured knee-cap, sustained in a fall.

•

JUDITH ANDERSON, actress, arrives from the Coast today to appear on the Kate Smith radio program on Friday.

•

ELEANOR B. GERSTEIN of the M-G-M home office has announced her engagement to ROBERT C. KAMEN.

•

ALAN F. CUMMINGS, manager of M-G-M exchange operations, returns today from a Florida vacation.

•

CHARLES SCHWARTZ of Schwartz & Frohlich returned from a three weeks Coast trip over the weekend.

•

MARTHA ZEIMER of the M-G-M film department recently was married to CHARLES SIEGEL, attorney.

•

HERBERT J. YATES, president of Consolidated Film Industries, returned Friday from the Coast.

•

SAUL RENICK of the United Artists home office is in Providence on exploitation work.

•

MANTON DAVIS, vice-president and general counsel of RCA, was admitted to practice in the U. S. District Court Friday when he was sworn in by Judge Goddard. Davis was originally admitted as a lawyer in Missouri in 1901 and has been general counsel for RCA since 1934.

•

N. NAPOLI, head of Artkino Pictures, returns today from a business trip to Havana.

•

CLAUDE RAINS is en route to his home in Bucks County, Pa., for a brief vacation.

•

EDWARD R. GORDEAU of London is at the Piccadilly for a few weeks.

•

BURTUS BISHOP, M-G-M manager in Pittsburgh, is in Florida.

20th-Fox Plans Four Conventions Abroad

Four European sales conventions are planned by 20th Century-Fox this Spring and Summer. Definite arrangements depend on developments in the European war.

Walter J. Hutchinson, director of foreign distribution, plans to attend the London convention for the British staff about mid-May and the Paris meeting shortly after.

Regional meetings will also be held in Stockholm, for the Scandinavian countries, and in Budapest or Zagreb for Central and Southeastern Europe.

Benjamin F. Miggins, Continental European manager, who is now in New York, will sail shortly to arrange for the Continental meetings.

Coast to Participate In Fair at Frisco

SAN FRANCISCO, March 17.—Y. Frank Freeman, president of the Motion Picture Producers Association and vice-president of Paramount, is negotiating with Earl Darfler, production manager of the "Fair in '40," to bring leading Hollywood stunt men and women to Treasure Island, for a week of hair-raising activity during the forthcoming fair.

Further Hollywood participation was indicated when Freeman tentatively agreed to send the little steamer, *S. S. Dog Star*, used in the film "Rulers of the Sea," from Los Angeles to Treasure Island. The *Dog Star* is an exact duplicate of the first steamer to cross the Atlantic.

Plagiarism Trial Ends

Trial of the plagiarism suit of Thornton W. Allen against RKO Radio Pictures, Walt Disney Products Ltd. and Irving Berlin, Inc., ended on Friday when Federal Judge Conger reserved decision. Suit claims that the song, "Some Day My Prince Will Come," used in "Snow White," infringed upon plaintiff's "Old Eli March." During the trial Deems Taylor, musical consultant of CBS, and Professor Marshall Bartholomew of Yale testified for the defendants.

RKO Claims Filed

Applications for allowances in RKO reorganization proceedings were filed Friday in U. S. District Court by Abraham K. Weber and Price, Waterhouse Co. Weber asks for $2,500 as attorney for George Sardou, holder of 500 shares of RKO common stock. Price, Waterhouse seeks compensation for auditing the company's books in 1939.

Confucius to Screen

Hollywood, March 17. — When 20th Century - Fox starts its new season production April 1, one of the early pictures will be "Broadway Confucius," inspired by the current wave of Confucius maxims. Five 1940-'41 films are scheduled to go before the cameras in April.

20th-Fox Opens First South African House

The 20th Century Theatre, first South African house in which 20th Century-Fox has an interest, was opened Friday in Johannesburg. It seats 2,200 and will operate in opposition to the Metro and Schlesinger first runs in that city. Cost of the entire development, including the theatre, was about $2,000,000.

This will be the major outlet in South Africa for 20th Century-Fox and United Artists films. The two distributing companies are encouraging the construction of new theatres in that country as means of obtaining adequate representation.

Kane Sails Abroad After U. S. Parleys

Robert T. Kane, managing director of 20th Century Productions, Ltd., in England, sailed on the *Rex* Saturday to resume British production for 20th Century-Fox. He was in this country several weeks, during which he conferred with Darryl F. Zanuck, production chief.

This season's British production quota requirements of 20th Century-Fox are virtually completed, according to the company.

Plans for the new quota year are indefinite, but the company plans to make a maximum of eight or nine features in England, four of which are scheduled for American release during 1940-'41.

Gracie Fields, 20th Century-Fox British star, and Monty Banks, who directs her films, are in Hollywood and plan to sail for England late this month.

Three Firms Chartered

ALBANY, March 17.—Three motion picture firms incorporated here are: Perial Amusement Corp., by Lew Preston, Semetta Rozan and Faye Wehl, New York; Ameta Film Corp., by Nikita Heurvitch, Richard M. Manfried and Max Manfried, New York, and Fame Films, Inc., by Lincoln Rosen, John E. Browne and Hortense Hademan, New York.

City Theatres Sued

Breach of contract suit for $150,000 damages was filed Friday in N. Y. Supreme Court by Walter Reade against City Theatres Co. Reade claims that he was employed in 1934 to manage the defendant's City Theatre, 114 E. 14th St., New York, at $200 weekly. Complaint charges wrongful discharge of Reade in October, 1939.

CBS Stock Sold

Twenty thousand shares of CBS Class A stock and 80,000 shares of Class B offered for sale by William S. Paley, CBS president, 25⅜ after the close of the market on Thursday, were sold early Friday, a group of underwriters announced.

Republic Revises Westerns Lineup

Republic is planning to revise its lineup of Westerns for 1940-'41, providing for four series of six each instead of three series of eight each as heretofore. The new group will feature Don Barry, whose first will be "Ghost Valley Raiders." The other series will continue to feature Gene Autry, Roy Rogers and Three Mesquiteers.

The 1940-'41 program will again consist of 50 features, including 26 dramas and 24 Westerns, according to James R. Grainger, president. There will also be four serials, as in the past.

The studio is speeding up production and expects to have the present season's program completed by July 15. "Dark Command," $800,000 budget film, will be released about April 15.

John Wayne, Republic Western star, has been loaned to Walter Wanger for a film on General Fremont, which John Ford will direct. Judy Canova, recently signed, will be starred in three pictures, the first of which will be "Scatterbrain."

M. J. Siegel, production head, will have six pictures shooting at the same time during the next 90 days. He has put 30 writers to work on the features and westerns to be turned out by July 1. Siegel plans to start six features in the next two weeks, and will leave shortly for conferences here with H. J. Yates.

Kirsch Renamed By Illinois Allied

CHICAGO, March 17.—Jack Kirsch was reelected president of Allied Theatre Owners of Illinois for a three-year term at the annual meeting yesterday. Heretofore, officer's terms have been for one year only.

Other officers are Van Nomikos, vice-president; Richard Salkin, secretary-treasurer, and Harry Nepo, sergeant-at-arms.

Members of the board of directors were reelected with one exception. Nate Wolf replaced John Jones.

Libel Suit Dropped

Libel suit for $50,000 damages against NBC and Walter Winchell was dismissed Friday by N. Y. Supreme Court Justice Rosenman. The plaintiff, Minnie Smith, claimed to have been libelled in a broadcast in January, 1939.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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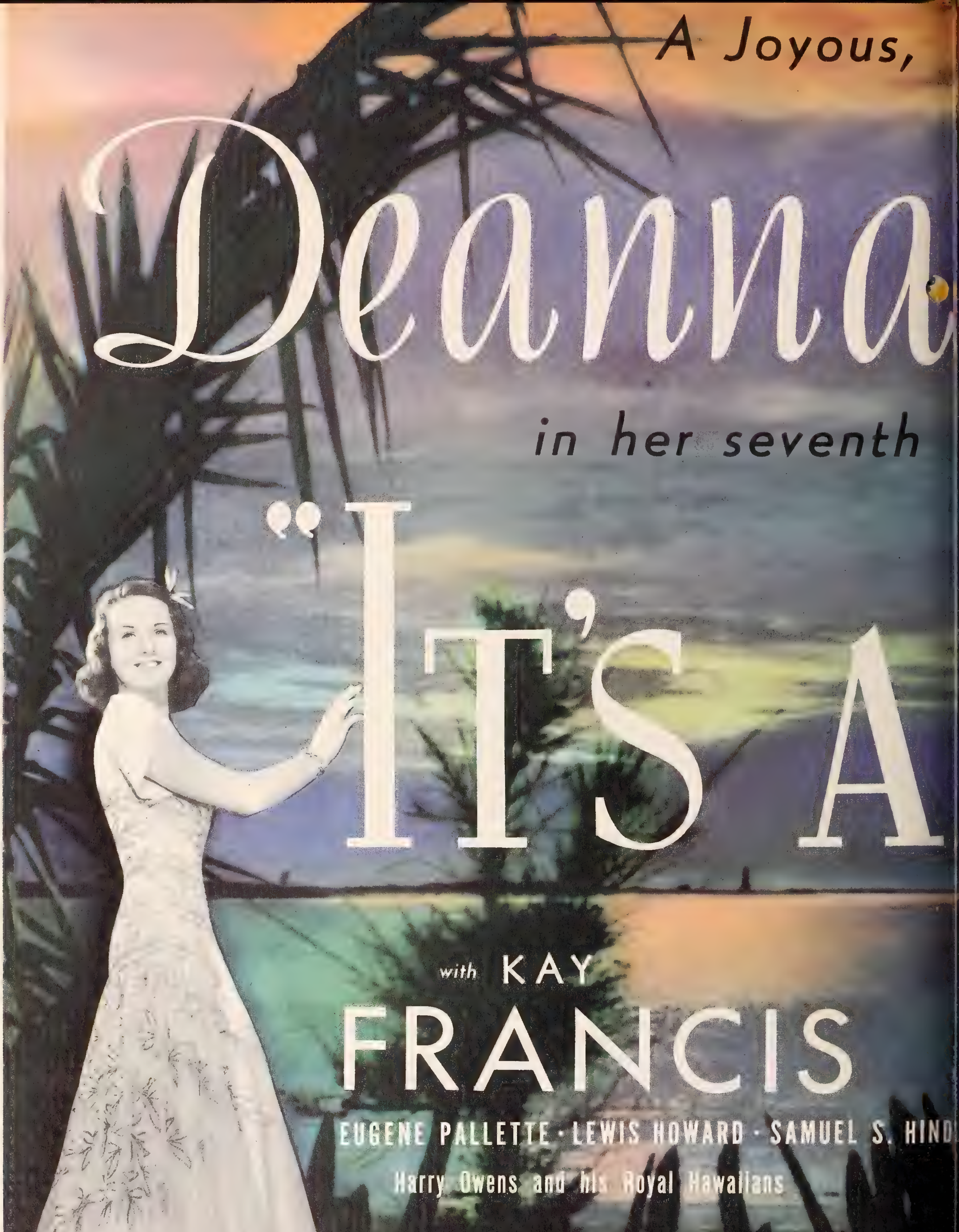
HER 7th SUCCESSIVE HIT!

The **HIT** that sees her graduated to beautiful young womanhood!

The **HIT** that rollics along with her to the melodies of seven great songs!

The **HIT** that finds her in the most glamorous setting of her career!

The **HIT** that brings with her the greatest supporting cast of all her pictures!


A Joyous,
Deanna
in her seventh
"IT'S A
with KAY FRANCIS
EUGENE PALLETTE · LEWIS HOWARD · SAMUEL S. HIND
Harry Owens and his Royal Hawaiians

Directed by WILLIAM SEITER
Produced by JOE PASTERNAK

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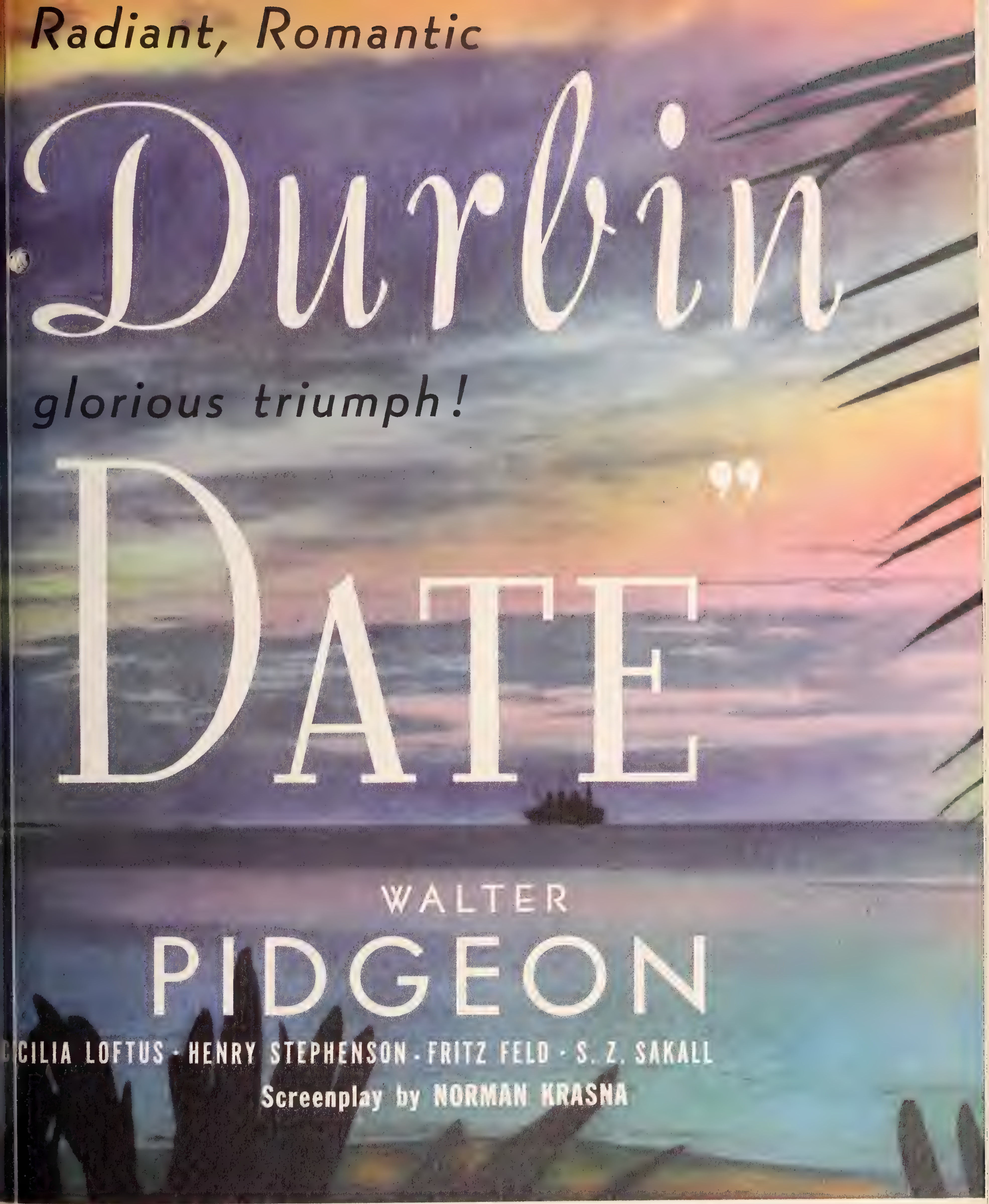
Radiant, Romantic
Durbin
glorious triumph!
DATE"
WALTER
PIDGEON
CILIA LOFTUS · HENRY STEPHENSON · FRITZ FELD · S. Z. SAKALL
Screenplay by NORMAN KRASNA

JOE PASTERNAK Production

Short Subject Reviews

"Females Is Fickle"

(Paramount)

Popeye has his troubles when Olive Oyl's goldfish falls overboard, and he pursues it. He is led a merry underwater chase, and is trapped by a jellyfish, but the spinach diet does its work and Popeye reduces the jellyfish to glasses of preserves. It's amusing. Running time, 7 mins.

"Way Back When a Nag Was Only a Horse"

(Paramount)

One of Fleischer's Stone Age cartoons, this is only moderately amusing, recounting the visit of the couple to the bargain sale of the stone town department store. When hubby starts dancing with the music demonstrator, wifey goes to bat—literally. Seven minutes.

"Not So Dumb"

(Paramount)

An interesting subject, this points out examples of the intelligence of animals generally referred to as "dumb." That their "dumbness" is only a matter of human speech is demonstrated in the interesting and entertaining reactions to training of a raven, lion, penguin and dog. Running time, 10 mins.

Infringement Suit Names RKO, NBC

An infringement action seeking an accounting of royalties and profits from a motion picture, radio broadcasts, recordings and sheet music sales of a song, believed to aggregate several million dollars was filed in Federal court in Los Angeles last week, it was revealed by papers served on defendants here over the weekend.

The suit was brought by Evelyn Carew of Los Angeles, who alleges her unpublished musical composition, "Chatter Box," was plagiarized by a song of the same name used in the RKO picture, "That's Right, You're Wrong," and by recordings, radio broadcasts and sheet music sales of the same song.

The plaintiff asks an injunction, $100,000 actual damages and an accounting of the profits and royalties from the picture, the radio broadcasts on which it was used, the record and sheet music sales, according to Schwartz & Frohlich, attorneys for a number of the defendants.

Defendants named include RKO Radio Pictures, Kay Kyser. NBC, Mutual, Ascap, Gene Buck, Chappell & Co., Decca, Columbia and Allan Roberts and Jerome Brainin, authors of the song used in the picture.

Harold Lloyd Testifies

Harold Lloyd testified Friday in U. S. District Court in his own behalf in the plagiarism suit of Lowell Brentano and William Rapp against Lloyd and the Harold Lloyd Corp. Federal Judge Goddard reserved decision after viewing the film, "Professor Beware," which plaintiffs claim infringed upon their scenario, "Greek to You."

Film Supply During War-Time Stressed By Chinese Report

An insight into official views of the importance of a motion picture supply in wartime is afforded in a report from American consular sources in China, copies of which were received in New York Saturday.

The report relates that a completely equipped motion picture studio is maintained at Chungking by the Chinese National Government. Every precaution has been taken, both in the construction of the studio and in providing it with bombproof shelters for equipment and films, to safeguard it from destruction.

The studio, known as the China Motion Picture Co., has been in operation since Aug., 1937, and once had to be removed in its entirety from Hankow to Chunking.

Since its establishment it has turned out five feature length dramas; seven war documentary films totalling 45 reels; nine multi-subject newsreels aggregating 9,193 feet; eight single subject newsreels totalling 9,000 feet; 10 cartoons of war songs and slogans, amounting to 10,575 feet, and five newsreels of the spot news type, totalling 3,265 feet.

The films are exhibited in theatres wherever available outside of Japanese control, and in temples, schools, colleges and universities in Chinese areas. In addition, mobile military units with portable equipment exhibit the films to soldiers wherever quartered.

Two feature productions which have been in work at the studio for the past few months are scheduled to be completed this month.

"Studio equipment," the report states, "although in daily use, stands prepared for hasty removal to bombproof caverns hewn and dynamited out of the solid rock beneath the hill on which the studio is built. Valuable negatives remain stored in these caverns."

U. S. Extends Time For Columbia Plea

(Continued from page 1)

closed. The answers were immediately forwarded to Washington for examination by the Department of Justice.

Spyros Skouras, head of National Theatres, will be examined today by Special Assistant Attorney General Robert L. Wright. Joseph M. Schenck, chairman of the board of directors of Twentieth Century-Fox, and Y. Frank Freeman, vice-president of Paramount, are slated to follow Skouras.

Films Can Rule Self Best: Rep. Alexander

(Continued from page 1)

tres mean more to the domestic economy of the State of Minnesota than the producer-owned chains, the earnings of which do not remain in the state but are remitted to the parent companies in New York," he reminded the Congressman.

"Your remarks have been given wide publicity in the trade press and unless you cooperate in getting the underlying facts before the public they may do grave injury to the cause of the independent theatre owner," Steffes wrote.

Record of Charity

Cincinnati, March 17.—Report to be presented to the Variety Club national convention at Dallas, April 18-20, by Arthur Frudenfeld, local chief barker, will show that the tent here last year furnished milk, cream and butter for 4,456 patients at St. Mary Hospital, placed 100 under-privileged boys between nine and 14 years old in the local Y. M. C. A. for educational, vocational and physical training, gave a Christmas party and presents to 2,000 orphans, and 104 picture shows to a total audience of 28,000 wards of local institutions.

It also provided monetary assistance and hospitalization for 68 cases brought to its attention, and gave subtantial contributions to many charitable agencies, at a total expenditure of approximately $25,000.

Extend Hyde's Contract

HOLLYWOOD, March 17.—Alex Hyde yesterday had his contract extended as director of the M-G-M studio orchestras. Twenty-six years with Loew's, Hyde started as orchestra conductor in Loew's American Theatre in New York in 1914.

New French Film Here

French Cinema Center, Inc., has received the negative of a new French film, "Schpountz," produced by Marcel Pagnol. The film is a satire on the film industry and the public, and stars Fernandel.

'Chickadee' Does $17,900, Los Angeles

LOS ANGELES, March 17.—Pleasant weather which sent many people on weekend trips hurt grosses here. "My Little Chickadee" and "Music in My Heart" took $17,900 at two houses, $9,000 at the Pantages and $8,900 at the Hillstreet.

Estimated takings for the week ending March 13:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1,518) (75c-$1.50) 7 days, 11th week. Gross: $15,500. (Average, $17,000)

"Northwest Passage" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $14,500. (Average, ($12,500)

"The Grapes of Wrath" (20th-Fox)
4 STAR (900) (30c-55c) 7 days, **2nd week.** Gross: $6,900. (Average, $3,250)

"My Little Chickadee" (Univ.)
"Music In My Heart" (Col.)
HILLSTREET—(2,700) (30c-65c) 6 days. Gross: $8,900. (Average, $6,500)

"Northwest Passage" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) **7 days.** Gross: $17,300. (Average, $14,000)

"My Little Chickadee" (Univ.)
"Music In My Heart" (Col.)
PANTAGES — (3,000) (30c-65c), 6 days. Gross: $9,000. (Average, $7,000)

"The Light That Failed" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: Vera Vague, Alvino Rey and orchestra. Gross: $18,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 11th week. Gross: $17,000.

"Dr. Ehrlich's Magic Bullet" (W. B.)
"Blondie on a Budget" (Col.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days, 2nd week. Gross: **$9,000.** (Average, $14,000)

"Dr. Ehrlich's Magic Bullet" (W. B.)
"Blondie on a Budget" (Col.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days, 2nd week. Gross: **$8,600.** (Average, $12,000)

FORGOTTEN GIRLS
LOUISE PLATT · DONALD WOODS · WYNNE GIBSON
ROBERT ARMSTRONG · EDUARDO CIANNELLI · JACK LA RUE
A Republic PICTURE
"Now, look, Gorno! With double indemnity, that's ten grand. That ain't hay! And this ain't just a regular deal — it's personal for Francey. I'll dig up another grand, myself. How's that?"

Hollywood Glamor For Virginia City

(Continued from page 1)

thousands of words to their respective papers.

The parade, colorful in every detail, awed the natives. In costumes which prevailed during the gold rush days of the early seventies, screen stars, municipal officials and society leaders, riding horseback or in carriages and stagecoaches, rode at the head of the procession. Thousands lined the streets and cheered.

Five state governors—Olson of California, Smith of Wyoming, Carr of Colorado, Miles of New Mexico, and Carville of Nevada—were present for the day's celebration.

Besides Mario Chamlee, from the concert world, came Bronislaw Gimple, noted violinist, and his brother, Jacob, pianist. They participated in a special Metropolitan Opera-NBC broadcast from the Old Piper's Opera House. Hobart Bosworth presented the dagger scene from "Hamlet," as he did when he enacted it here 50 years ago.

Another lavish celebration was held simultaneously at Reno, where "Virginia City" also was premiered. Fully 20,000 persons turned out at the divorce capital. Festivities there starred the presence of James F. Jeffries, former world's heavyweight champion.

S. Charles Einfeld, vice-president and advertising and publicity director for Warners, supervised all arrangements for the Virginia City and Reno celebrations. Mort Blumenstock, Eastern advertising and publicity chief, came from New York with about 30 newspapermen and women guests. With him also from the Warner home office were Sid Rechetnik, Jerry Keyser, Ralph Budd and John Harkins.

Most of the guests who came from New York, Chicago and the South went on to Hollywood after the premiere and will return to their homes later. Some left for the East today.

Illinois High Court Gets Bioff's Appeal

(Continued from page 1)

in the case is: "Has the State the right after 17 years to enforce this judgment?"

"Bioff to Lead Negotiations Even If from Cell," Say Unions

HOLLYWOOD, March 17.—"William Bioff will remain as our chairman and will continue to direct film labor negotiations even if he has to do it from a jail cell."

This statement came from the Conference of American Federation of Labor Studio Unions following receipt of notice that Bioff had lost his legal effort to gain freedom from a 1922 conviction.

Don Lee Seeking FM Station Permit

HOLLYWOOD, March 17.—Don Lee network has applied to the F. C. C. for permission to construct a frequency modulation station, Thomas S. Lee, president, announced over the week-end. Power sought is 1,000 watts. Frank Kennedy, chief engineer for the web, left for Washington to attend F. C. C. hearings on FM which start Monday.

Hollywood Review

"Primrose Path"

(RKO)

HOLLYWOOD, March 17.—Last co-starred five years ago, Ginger Rogers and Joel McCrea here exemplify the rising screen preoccupation with the sordid, which that same half-decade has brought to its films.

Miss Rogers is seen as the youthful descendant of a line of women driven by circumstance to ignore the usual conventions as to the source of their income. McCrea portrays a young mechanic whose banter attracts the local girls to the hamburger stand owned by his grandfather. It is in the order of things fictional that the romance and marriage of the two should be hindered by the girl's attempts to lie about her family in order to hide their real characteristics.

It is in the new screen order of things "realistic" that the family should consist of a mother who resorts to other men as a means of bringing her family food, a father whose education earns him only the distinction of continual drunkenness, a grandmother who is the perfect prototype of the harridan, and a tough and articulate younger sister. The element of the story derived from the title is further underscored by reference both in the main leader and in the body of the film to Menander's aphorism to the effect that "we live not as we wish to, but as we can."

Based on the stage play by Robert L. Buckner and Walter Hart, the picture was largely the work of Gregory La Cava, who produced and directed, as well as collaborating on the screenplay with Alan Scott. The characters previously defined are depicted by Marjorie Rambeau as the mother, Queenie Vassar as the acidulous grandmother, Miles Mander as the father, Joan Carroll as the young sister, and Henry Travers as the down-to-earth grandfather of the young man in the case.

The interest-compelling names of the stars and of La Cava are pitted against, rather than abetted by, their story material.

Running time time, 90 minutes. "A."* W. S.

"A" denotes adult classification.

'Apollo' Previewed By College Editors

(Continued from page 1)

papers from Pittsburgh to Brunswick, Me.—were guests of 20th Century-Fox over the weekend. Before trekking to Ossining in limousines driven by liveried chauffeurs, they were honored at a state dinner at the St. Moritz Hotel. The editors, among them Robert Benchley, Jr., of the *Harvard Lampoon,* and Douglas Campbell of the *Yale Record,* sat cheek-by-jowl with the working press and the 20th Century-Fox publicity staff. None of the neophyte journalists asked McCarthy where he could land a job upon graduation next Summer. (McCarthy was prepared to duck at that one.) Nor was anyone challenged to a duel. The boys, it seems, had forgotten their vendettas for the time being.

The party—some 40 in all—made the hour's trip to Ossining, and back, under the guidance of McCarthy's staff, including Rodney Bush, Earl Wingart, Irving Kahn, Bill Chambliss and Steve Freeland. Harry Knoblauch, manager of the theatre, greeted the visitors and handed out preview response cards. Present were local dignitaries and officials of civic organizations, in addition to the embryo Brisbanes and a capacity audience. The students were aroused to nothing more exuberant than cheers at intervals during the screening and applause at the finale.

The visiting college men were guests of 20th Century-Fox at Saturday night's performance of the musical comedy, "Too Many Girls." A selected group participated in a special broadcast Sunday morning over CBS. The half-hour program was a forum discussion of the college man's reaction to the treatment of college themes in films, with especial emphasis, of course, on "Johnny Apollo."

The collegiates were guests of 20th Century-Fox for three days. They'll be back in their classrooms today, ready to confuse Johnny Apollo with Apollo Belvedere, that ancient and well known Greek.

Ascap Radio Report Due on Wednesday

Report of the Ascap radio committee on the licensing society's new contract terms for radio broadcasters is scheduled to be presented to the Ascap board of directors for action at a special meeting Wednesday night.

A final meeting of the radio committee will be held Wednesday afternoon to complete the report. This meeting will determine whether or not there will be a minority report prepared for the board inasmuch as differences of views which exist within the committee were not resolved at a meeting held last Friday.

RCA Stockholder's Suit

Stockholder's suit against RCA, General Electric Co., Westinghouse Electric & Manufacturing Co., NBC, Victor Talking Machine Co., Inc., and 19 RCA directors and officers was filed Friday in U. S. District Court by George Saivetz, holder of 205 shares of RCA stock. The plaintiff charges that RCA paid exhorbitant prices in purchasing radio devices from General Electric and Westinghouse. Complaint also attacks the purchase by RCA of the controlling interest in Victor.

Lido Reopens After Fire

The Lido, Brooklyn house, closed by fire recently, has reopened.

Radio Brevities

WHEN the frequency modulation hearings get under way this morning before the F.C.C. at Washington, one of the crucial issues to be determined will be the assignment of additional frequency bands to the FM broadcasters. The latter, taking the position that television is still a l[illegible] way off and that FM is ready, will seek to have the Commission cut down on the video wave bands and turn them over to FM.

Wanted: A Name for Television

Meticulous executives are dissatisfied with the word "television" as a noun to describe the transmission of sight waves over the air. Besides being inaccurate, they say, it is too long.

"Radiovision" has the advantage of being more accurate, but it is longer than television by one letter. "Video" has been used by many newspapermen, although "video art" is more generally favored.

If readers have any suggestions, they may be sent to this column. They will be forwarded to the hard-working executives who have to worry about things like this.

Program News

Procter & Gamble has bought time for its eighth show over CBS, it was announced over the weekend. The latest, on behalf of Ivory Soap, will be a quiz show, "Truth and Consequences," conceived by Ralph Edwards, CBS announcer, who will act as emcee. It will be heard over four Eastern stations Saturdays at 9:45 P.M., beginning March 23. . . .

Lanny Ross, who is scheduled to be heard four times weekly, beginning March 25, will get a regular Monday through Friday spot on April 30 when the 7:15 P.M. time on Tuesdays becomes available through the cancellation of Jimmie Fidler's program.

Diathermy Interference

The Federal Communications Commission is reported to be conducting private talks with the American Medical Association to limit the nuisance created by the interference of diathermy machines on radio reception. With 40,000 of these machines now estimated in use, the F.C.C. regards the interference as something which must be dealt with. It is understood that commission is considering the assignment of a definite wave length for these machines and requiring that the sets be equipped with monitoring devices to prevent the machine from going outside its assigned frequency.

Personalities in the News

Walter Duncan, WNEW national sales manager, was named vice-president, Bernice Judis, managing director of the station announced over the weekend. . . . Grady Cole, of WBT, Charlotte, Harwood Hull, WAPI, Birmingham, and Gene Shipley, WIBW, Topeka, have been added to the staff covering news for CBS "Farm Journal." . . .

Kay Kyser rounds out two years as dean of the "College of Musical Knowledge" over NBC-Red on Wednesday, March 27. . . . Johannes Steel speaks before the Overseas Press Club on Wednesday.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 47. NO. 55 NEW YORK, U. S. A., TUESDAY, MARCH 19, 1940 TEN CENTS

Vaude Circuits Will Face Five Unions Today

Parleys with Moskowitz, Fair Officials Slated

Representatives of Screen Actors Guild, Actors Equity, American Federation of Radio Artists and Chorus Equity will accompany Hoyt S. Haddock, executive secretary of the American Guild of Variety Artists, this afternoon when he meets with executives of all major vaudeville circuits.

The meeting will be held at the office of C. C. Moskowitz, in charge of metropolitan houses for Loew's.

The four sister unions of A.G.V.A. have passed resolutions forbidding their memberships to work in vaudeville, except where A.G.V.A. is recognized as sole bargaining agency and officials will be present today to present a united appeal for recognition.

At 11 A. M. today, the same officials will meet with New York World's Fair authorities for a closed shop at the Fair for the 1940 season. At 1 P. M. Haddock will meet Richard K. Gregory, attorney for 24 Brooklyn and Queens night clubs, to start negotiations.

Signing of a contract with the Havana-Madrid, a night club, was announced by A.G.V.A. yesterday. Minimum salaries for principals was increased from $35 weekly to $45, and from $22.50 to $30 for chorus, the union declared.

Stars, Writers Back From Virginia City

By SAM SHAIN

Aboard the Forty-Niner, En Route to Chicago, March 18.—Virginia City and it scant 2,000 inhabitants today returned to the obscurity out of which they were shaken this weekend by the excitement and glamour of a Hollywood premiere attended by governors of five states, film stars and newspaper writers from the nation's largest cities.

The town and its people will not soon forget the few hours of a recreated past they were given by way of launching, in as conspicuous a manner as possible, the Warner production, "Virginia City."

Warners' $35,000 party now is part and parcel of Virginia City history. The premieres, held in that town and Reno, can be called a success.

The 250 guests started homeward

(*Continued on page* 3)

City Bans 'Monopoly' Theatre Ownership

Morrilton, Ark., March 18.—The City Council has passed an ordinance prohibiting "any persons, firm, corporation or association of persons" from operating or being interested in the operation of more than one film theatre within this city's limits."

The ordinance was adopted after Sid Metcalf and S. B. McSwain, operators of the Ritz, which burned two weeks ago and which will be reopened shortly in a new building, appeared before the council protesting "monopolistic policies of chain theatre firms."

Holy Week Causes Slump in Grosses

Weekend grosses continued off in Broadway first runs with managers generally attributing the lack of business to the usual drop at the advent of Holy Week.

At the Paramount, however, "Road to Singapore," with Tommy Dorsey's band on the stage, achieved a big gross with an estimated $25,000 over

(*Continued on page* 10)

Settlement Made By Fox Theatres In Wm. Fox Case

William Fox will receive a cash payment of $80,000 from Fox Theatres Co. as a final settlement of his claim of $7,186,627 against the company, an application of trustees of Fox Theatres filed in the N. Y. Supreme Court yesterday for a final discharge revealed.

Settlement provides for Fox's claim to be allowed in the sum of $1,000,000 for which he will receive an 8 per cent dividend similar to that paid to other creditors. In addition, a claim of the Fox Theatres against Fox for $7,000,000 will be cancelled, the application stated.

Petition of Milton C. Weisman and Kenneth Steinreich, trustees, also asked for judicial approval of the plan of operations and budget of estimated 1940 expenditures and for the fixing of final allowances to the trustees. Justice Aaron J. Levy took the application under advisement.

Fox Theatres has cash at hand of $168,248, the petition said, part of which will be devoted to payment of settlement to Fox and the balance for payment of taxes, allowances and a number of claims. Trustees were appointed on March 16, 1939, after approval of plan of liquidation by former Circuit Judge Manton.

U.S. Questions Schenck Upon Star Loan System

Stars are only loaned by Twentieth Century-Fox to other producing companies when the player's reputation will be enhanced by the part to be played, Joseph M. Schenck, chairman of the board, stated yesterday at a pre-trial examination in the Government's "key" anti-trust suit.

In determining the advisability of loaning a star the main consideration is given to the story, part played and reputation of the director and cameraman, Schenck declared. If the director is to be a "top notch" man such as Capra, Vidor or King, Schenck said, Twentieth Century-Fox is more inclined to make the loan, the executive stated.

Moreover, he continued, no consideration was given to whether a picture would be exhibited in the best houses. Schenck explained at length that a film which had been produced with a good story and proper directing must be shown in the finest theatres.

Schenck denied that producing companies had agreed upon standard payments for the borrowing of talent. Generally speaking, he said, directors, writers and technical men were paid for the actual time for which they were borrowed.

On the other hand, Schenck contin-

(*Continued on page* 2)

Atlas in Big Merger With Curtiss-Wright

An agreement in principle to a merger of Atlas Corporation and Curtiss-Wright Corp. was announced yesterday in a joint statement by Floyd B. Odlum of Atlas and George N. Armsby and Guy W. Vaughan of Curtiss-Wright.

The proposal will be submitted for ratification to the stockholders of both companies as soon as certain formalities and legal details have been completed, probably in about three weeks.

Under the plan, the special holdings of Atlas (aggregating about $25,000,000) will be vested in a separate cor-

(*Continued on page* 8)

Suit Settlement Hinges on Five Theatre Firms

No Official Stand Taken By Other Defendants

Discussions of an out-of-court settlement of the Government's New York anti-trust suit in recent weeks have been confined to representatives of the five defendant companies having theatre affiliates.

This was due to the fact that any settlement program which did not first offer some solution for theatre divorcement would be foredoomed to failure.

The three non-theatre owning defendants were advised of the new settlement efforts for the first time only within the last few days.

Representatives of these companies are privately skeptical of the significance to them of any consent decree but officially they have taken no stand, and are not likely to do so pending further developments and more detailed reports of the proposals under consideration.

Cohn Denies Stand On Consent Decree

Columbia Pictures has done nothing "to indicate any attitude to a consent decree" in the Government's New York anti-trust suit, Jack Cohn, vice-president, said yesterday.

His statement was directed to a report published yesterday, but not in Motion Picture Daily, that Columbia would refuse to be a party to a consent decree in settlement of the Government action.

Cohn denied any official knowledge or any official act which would give credence to the report.

"No executives of our company," he said, "have ever entered into a discussion which would tend to be a basis for such a report. If Columbia pictures adopts an attitude in regard to this question an official announcement will be made at the proper time."

Zukor Arrives, Sees 2-Months Stay Here

Adolph Zukor, Paramount board chairman, will remain at the home office "about two months," he stated yesterday on his return with John W. Hicks, Paramount vice-president and foreign head, from a two and one-

(*Continued on page* 8)

306 Will Picket 15 Non-Union Houses

Operators Union, Local 306, late next week will start a picketing campaign against New York City houses employing non-union projectionists, union sources disclosed yesterday.

The campaign will be directed against exhibitors who employ non-union operators and will not involve a fight with Empire State Operators Union, it was said.

Picketing will start at two houses in Manhattan and two in Brooklyn and the campaign will be expanded gradually. Union officials estimate that there are about 15 houses in the city which do not employ union projectionists.

Bert Popkin, Manhattan business agent, and Jack Teitler, Brooklyn business agent, will be in charge of their drive in their respective boroughs.

Restrains Game Ban

WASHINGTON COURT HOUSE, O., March 18.—Hoy Simons, operating the Fayette here, has obtained a temporary restraining order in Common Pleas Court to prevent City Manager Edwin Ducy and Police Chief Jack Wolfe from interfering with Bank Night. The officials had ordered the game discontinued on the ground that it is a lottery.

Caldwell Brown Dies

ZANESVILLE, O., March 18.—Caldwell H. Brown, 55, secretary and treasurer of Zanesville Theatres, Inc., operating the Grand, Liberty, Imperial and Quimby here, died Saturday of septicemia. He had been reelected a director of the I.T.O. Ohio at its convention in Columbus on Feb. 29.

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EMANUEL SILVERSTONE, American representative for ALEXANDER KORDA, will arrive from the Coast today. MAURICE SILVERSTONE, United Artists chief executive, will leave the Coast by train today, arriving here Friday.

•

CARL E. MILLIKEN, secretary of the Motion Picture Producers and Distributors of America, will address the annual convention of the Indiana League of Business and Professional Women in Indianapolis on May 23.

•

EDWARD WARD, screen composer, leaves for Hawaii today to make a study of South Seas music for EDWARD SMALL, United Artists producer.

•

Y. FRANK FREEMAN, Paramount vice-president and studio head, arrived from the Coast yesterday. He will be here until the end of the week.

•

I. H. LEVINE, Imperial Pictures manager in New Haven, is recuperating from an emergency operation at Grace Hospital, New Haven.

•

W. FRENCH GITHENS, president of Newsreel Theatres, Inc., addressed the Columbia Scholastic Press Association convention last weekend.

•

JOE GOETZ, RKO assistant division manager in Cincinnati, has been appointed zone chairman of the Community Chest drive there.

•

JOSEPH MOSKOWITZ, 20th Century-Fox studio representative in New York, returns tomorrow from the Coast.

•

W. G. O'BRIEN, formerly Universal News representative in Paris, has arrived from Europe.

•

CHARLES A. SMAKWITZ, district manager for Warner Theatres in Albany, has returned from Miami Beach.

•

MARVIN SCHENCK of Loew's returned yesterday from a vacation in Hot Springs, Ark.

•

CLAYTON T. LYNCH, M-G-M manager in Los Angeles, observes a birthday today.

•

HARRY COHN, JACK COHN and NATE SPINGOLD returned to New York yesterday from Florida.

•

OTIS SKINNER arrives in New York today, completing a 38-day cruise to Chile.

•

WILLIAM A. SCULLY will return from Boston Wednesday.

•

GUY F. NAVARRE, who resigned as Seattle branch manager for United Artists recently, will become business manager for GENE DENNIS, psychic. MISS DENNIS is MRS. J. G. VONHERBERG, wife of the head of the Jensen-VonHerberg theatre circuit.

•

BARNEY BALABAN, Y. FRANK FREEMAN, AUSTIN KEOUGH, ARTHUR MAYER, LEONARD GOLDENSON, MICHAEL WHALEN, MAURICE BERGMAN, ROBERT WEITMAN, DARIO FARALLA and ARTHUR LOEW at Sardi's for lunch yesterday.

•

HAL HORNE, OSCAR DOOB, MONROE GREENTHAL, HARRY GOETZ, HARRY THOMAS, JOSEPH MALCOLM, SAM CITRON, ARTHUR KELLY, WILLIAM FITELSON and TOM WALKER at Bob Goldstein's Tavern for lunch yesterday.

•

HOWARD DIETZ, CHARLES E. MCCARTHY, JOSEPH UNGER, INA RAY HUTTON, TOM CONNORS, TED O'SHEA, TOBY GRUEN, MAX A. COHEN and OWEN DAVIS lunching at Bob Goldstein's Tavern yesterday.

•

HARRY COHN, B. S. MOSS, WILLIAM BRANDT, NATE SPINGOLD, LOU BRANDT, J. J. MILSTEIN and CHARLES MOSS lunching at Lindy's (51st St.) yesterday.

•

HAROLD EVENS, manager of the Loew's State, St. Louis, is in Cleveland for a vacation. M. J. CULLEN, district manager for Loew's, is subbing for Evens.

•

C. D. GARRISON of the Universal St. Louis exchange and LOU ANSELL, head of a circuit there, have returned from Florida, with their wives.

•

ANDREW ROY, manager of Warners' Strand, Albany, is ill with the grippe.

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Golden's Tour Finds Business Optimism

Edward A. Golden, Monogram general sales manager, reported exhibitors "highly optimistic regarding the business outlook," upon his return yesterday from a six-week swing around the country.

"Several centers are profiting from war activity in various industries," said Golden. "These gains are finding their way into theatre tills. Also, exhibitors say that people are going to theatres to escape from the discouraging war news from abroad."

Golden visited 15 exchanges where he held sales meetings on the company's "Spirit of Independence" playdate drive which starts March 30 and ends July 6. He also conferred in Hollywood with W. Ray Johnston, president, and Scott R. Dunlap, production chief, on production plans.

Golden explained the setup of the two leagues in the "Spirit of Independence" drive. Heading the National League is Dunlap, umpire, Frankie Darro, mascot, and Tex Ritter, coach. Johnston heads the American League as umpire with Martin Spellman as mascot and Boris Karloff as coach.

Captains of the various teams are as follows: in the National League, Charles Trampe, Milwaukee, "The Bears"; Lon Fidler, Denver, "The "Bisons"; Bob Taylor, St. Louis, "The Wild Cats"; W. Benjamin, Kansas City, "The Seals."

In the American League: Harry Thomas, New York, "The Giants"; Steve Broidy, Boston, "The Red Sox"; William Onie, Cincinnati, "The Tigers"; John Franconi, Dallas, "White Sox."

Schenck Tells Of Star Loans In U. S. Probe

(*Continued from page* 1)

ued, stars who were under contract to make a fixed number of films yearly were paid for the number of pictures that they had been borro[illegible] for, regardless of the time spent.

Companies loaning ordinary featured players would receive the equivalent of the players' salary and a bonus of three weeks' pay, Schenck said. Twentieth Century-Fox charged 10 per cent of the cost of any set loaned to another company, he continued.

Recalls United Artists Days

The Twentieth Century-Fox chairman told Special Assistant Attorney General Robert L. Wright that he had found it considerably easier to borrow stars when he was head of United Artists in the late twenties. It was easier then, he said, "because stars were anxious to travel in the illustrious company of pictures that United Artists had then."

According to the testimony, Schenck takes no active part in directing the policies of National Theatres. Conferences between Schenck and Spyros Skouras, head of National Theatres, are held about twenty times yearly, Wright was told.

Schenck stated that he visits his brother, Nicholas, president of Loew's, about four times yearly. On those occasions no discussions concerning the lending of talent take place, he said emphatically.

Criticisms Exchanged

Criticisms of various aspects of their respective studios are exchanged, he explained. "I tell him that he spends too much money for pictures," Schenck said lightly, "and he tells me that he makes good pictures."

Schenck stated that he had no interests in the film industry outside of stock ownership in Twentieth Century-Fox and United Artists Circuit Theatres. Advantages to his company in the ownership of theatres were better exploitation of films, longer first runs, and an ability to advertise the companies' stars in theatres.

Spyros Skouras will testify today. Y. Frank Freeman is slated to appear tomorrow.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Stars, Writers Back From Virginia City

(*Continued from page* 1)

Sunday aboard special trains, tired but happy after a day and night of noisy excitement.

Ralph Budd of the Warner home office, who managed the trip out of New York so well, has gone on to the Coast from Reno. So have Mort Blu[illegible]stock, Warners' eastern advertising and publicity director; Jake Wilk, story editor, and Harry Oshrin. Sid Rechetnik is accompanying the Eastern delegation back to New York, with Bill Gagenbeck of the New York Central, who was loaned by that railroad to assist with arrangements, returning with the same group.

Bill Guthrie, Warners' location chief, is shepherding the California party.

Reno Chamber Gives $6,000

Of the money which has been spent on the affair, $6,000 is said to have been contributed by the Reno Chamber of Commerce. Of this sum, about $2,500 was contributed by the Southern Pacific Railroad, Reno residents say.

Transportation of the 215 Hollywood guests is estimated to have cost $6,500. Dining car and refreshment charges on the Coast train ran about $700 per day, according to railroad officials. The refreshment cost from midnight to 7 A. M. on that train was an additional $125.

The 40 members of the New York and Chicago group accounted for about $170 in refreshment charges, railroad men said. Transportation costs to Reno and return for this group amounted to about $10,000. Dining car charges, additionally, were around $200 daily.

Preparatory expense, including advertising by Warner Bros. amounted to about $10,000, of which $2,500 was hotel expense in Reno, officials said. Telegraph charges aboard the Coast special are estimated at $1,000.

Relics of Past Still Standing

Reno didn't seem as concerned over the picture as was the little ghost mining town 25 miles away. Virginia City, home of the one-time famous Comstock lode which yielded $700,000,000 in gold, is now only a skeleton of the roaring frontier and mining city it was in the early 70s. Still standing are the Crystal Palace, Bucket of Blood and Chandelier saloons and Piper's Opera House, and yesterday the old-time gayety of these spots was revived. But Virginia City today is only a relic of the past.

The final chapter of the affair consisted of an old Frontier Parade in Reno.

Two gay visitors slipped inside a hearse that brought up the rear of the parade. The vehicle hadn't gone far, however, before the long arm of the law reached in after them.

"If you two were corpses it would be all right," said the gendarme, "but you're just tight, so you'll have to get out."

Drops Stage Shows

CINCINNATI, March 18.—The 2,150-seat RKO Shubert, which has been playing stage shows and pictures since the opening of the season, goes to a straight picture policy March 29, with scale reduced from 40 to 60 cents to 35 and 42 cents.

Hollywood Reviews

"Viva Cisco Kid"

(*20th Century-Fox*)

HOLLYWOOD, March 18.—The second in the series starring Cesar Romero, "Viva Cisco Kid," 20th Century-Fox, is a blending of comedy and adventure in the best tradition of outdoor action pictures. The popular Romero in the title role similar to "Don Quixote" and Chris-Pin Martin as "Sancho Panza" are an ideal combination. This time, the "Cisco Kid" falls in love with the daughter of a criminal, and to save him, outwits the gang's leader and helps the father to rehabilitation.

Samuel G. Engel and Hal Long's screenplay, suggested by O. Henry's character "Cisco Kid," aptly intermingles comedy, suspense, romance and action, all brought out to a high degree by the direction of Norman Foster. Sol M. Wurtzel was the executive producer.

Supplying the love interest is Jean Rogers. Others in the cast are Minor Watson, Stanley Fields, Nigel De Brulier, Harold Goodwin, Francis Ford and Charles Judels.

Running time, 65 minutes. "G."* VANCE KING

"Broken Strings"

(*International Roadshows-Goldport*)

HOLLYWOOD, March 18.—"Broken Strings," produced by Goldberg and Port for International Roadshows distribution, is another of the all-Negro films made especially for exhibition in the 400 theatres with colored patronge in the United States. It stars Clarence Muse, the widely known singer, writer and stage-screen actor, as a famed concert violinist forced to retire because of a crippled hand. The plot of the story concerns his fight for the classics, as opposed to their being "swung" by ultramodernists, exemplified by his 12-year-old son, played by William Washington.

Supporting are Sybil Lewis, Tommy Moore, Stymie Beard, Pete Webster, Eddie Thompson, Buck Woods, Jessie Lee Brooks, Darby Jones, Earl Morris, the Steavens Sisters and Alec Carpenter.

Carl Krusada, Muse and Dave Arlen wrote the screenplay. L. C. Borden was the associate producer.

Running time, 60 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Fight New Albany Discrimination Bill

ALBANY, March 18.—The Committee on Criminal Courts Law and Procedure of the Association of the Bar of the City of New York has strongly disapproved Assemblyman Irwin Davidson's bill prohibiting places of public amusement to refuse to admit any individual over 21 years of age who presents a ticket of admission.

"There is no need for this proposed law," the committee said in a memorandum to the legislature over the weekend. "Section 40 of the civil rights law now affords to all persons equal rights and privileges in places of public accommodation, resort and amusement and Section 41 provides penalties for a violation of Section 40."

Louisville Unit Now Opposes Neely Bill

LOUISVILLE, March 18.—Support of the Better Films Council of Louisville for the Neely Bill has been withdrawn by the council's legislative committee, according to Mrs. R. V. Love, legislative chairman.

The council previously had gone on record favoring the passage of the legislation, but withdrew its endorsement after theatre operators here explained that block booking did not force them to take all films, but that they were allowed to reject a certain percentage of them.

Employes in Frisco Win Pay Increase

SAN FRANCISCO, March 18.—Pay increases for cashiers and doormen in 21 subsequent run theatres are provided in a new contract negotiated by Theatrical Employes' Local B-18. More than 400 workers, including ushers, are covered by the agreement, which provides that time and one-half will start after 42 hours instead of 48, as formerly.

Wage boosts for cashiers and doormen are five cents an hour, to 57½ cents, in class A houses, and two and one-half cents an hour, to 52½ cents, in class B theatres. Negotiators for the union were Al Maas, president, and William Sutherland, business manager.

Pennsylvania Jury Calls Bingo Illegal

LANCASTER, Pa., March 18.—Bingo is gambling, it was decided by a county jury here in convicting Richard Landis, of Rothville, of maintaining and setting up gambling devices. Landis was chairman of a committee of the Neffsville fire company which arranged the Bingo game for a test case. An acquittal would have lifted the ban on Bingo in Lancaster County. Judge C. V. Henry, in charging the jury, said the only question to decide was whether or not Bingo is gambling.

Studios Shoot 35 New Films; 64 Are Edited

HOLLYWOOD, March 18.—Thirty-five pictures were before the cameras this week, three more than last week's total, as nine started and six finished. Twenty-two are being prepared and 64 are being edited.

Columbia

In Work—"Dead Man's Isle."

Started—"The Lone Wolf Meets a Lady," untitled Western.

M-G-M

Finished—"Edison the Man."

In Work—"Two Girls on Broadway," "Waterloo Bridge," "Pride and Prejudice," "The Mortal Storm," "20 Mule Team," "Susan and God," "Andy Hardy Meets a Debutante," "Boom Town."

Monogram

In Work—"Tomboy."

Started—"Pals of the Purple Sage."

Paramount

Finished—"Destiny."

In Work—"The Ghost Breakers," "North West Mounted Police," untitled Henry Aldrich picture.

RKO

In Work—"Tom Brown's School Days."

Started—"Anne of Windy Poplars."

Republic

Finished—"Grandpa Goes to Town," "Young Buffalo Bill," "In Old Missouri."

In Work—"Women in War."

Started—"Covered Wagon Days."

Roach

In Work—"Turnabout."

Edward Small

In Work—"South of Pago Pago."

20th Century-Fox

In Work—"Lillian Russell," "Maryland," "Cisco Kid No. 3."

Started—"The Young People," "Million Dollar Diamond."

Universal

Finished—"Sandy Is a Lady."

In Work—"If I Had My Way," "I Can't Give You Anything But Love, Baby."

Started—"Ski Patrol."

Warners

In Work—"The Sea Hawk," "All This and Heaven, Too," "Torrid Zone," "Flight Eight."

Started—"Brother Orchid."

Kill Mississippi Bill For New Ticket Tax

JACKSON, Miss., March 18.—Without a dissenting vote, the Mississippi House ways and means committee killed the Senate-approved bill which would have allowed the city of Jackson to levy additional taxes now invoked by the state. The bill, supported by the Jackson council, who contended it needed added revenue and would match state levies on theatre admissions in addition to other taxes, would have called for a 60 per cent majority vote of the public of any city over 35,000 population in the state. The state levies a maximum tax of 10 per cent on amusements.

Cooper Gets 'Doe' Lead

HOLLYWOOD, March 18.—Gary Cooper has been borrowed from Samuel Goldwyn to play the title role in "The Life of John Doe," in production by Frank Capra for Warner release.

Tips on Exploitation

Search for Oldest Copy Aids 'Swiss Family' Run

Oklahoma City, March 18.—Spence Pierce, plugging "Swiss Family Robinson," at the Midwest, conducted a contest to unearth the oldest copy of the novel in Oklahoma City. He uncovered one copy in possession of a city woman since 1882, seven years before the establishment of Oklahoma City. It was worth a feature story and picture in the newspapers.

Atom Chamber Used To Plug 'Dr. Cyclops'

Kansas City, March 18.—For "Dr. Cyclops" Jerry Zigmond used a large "atom chamber," seven feet high, five feet wide and four feet deep, covered with black velvet, showing through a reducing lens a model "five inches high." This was in the lobby a week in advance, and thereafter during the showing was "on the street" slightly protruding through two of the lobby doors.

Fort Niagara Tied in With 'Northwest Passage'

Buffalo, March 18.—"Northwest Passage" received smart newspaper play here, being tied up with Fort Niagara, historic spot near here. The film has Fort Niagara as an important setting.

Fashion Show Features 'Thief of Bagdad' Styles

United Artists, in association with Pacific Mills, will present a "Thief of Bagdad" fashion show at Monte Proser's Beachcomber on Tuesday. The fashions, based on Oriental motifs from the Alexander Korda film, will be viewed by fashion designers and writers, radio commentators, and merchandise managers of leading stores.

Mailed Window Cards Used for 'Chickadee'

Providence, March 18.—Window cards for "My Little Chickadee" at the RKO Albee were effectively used by George French, manager, and William Morton, publicity man, in a direct mail stunt. The cards were addressed to prominent people through the state and to all fraternity houses at the local colleges. Cards were hung on the downtown mail boxes, well in advance of collection hour, thus serving as free advertising until collected. Each recipient was informed that if the card was presented at the boxoffice unfolded, it would be honored for two admissions.

'Grapes' Cocktail Used For Kansas City Plug

Kansas City, March 18. — For "Grapes of Wrath" Joe Redmond at the Fox Esquire arranged with the Rendezvous, bar at the Hotel Muehlebach, to feature a "Grapes of Wrath" cocktail. Made of champagne and retailing for 75 cents, the Rendezvous pushed it with signs showing grapes going into the glass. At Harzfeld's, smart department store, there was an exhibition of the Thomas Hart Benton paintings for the picture.

Theatre and Personnel Notes

Warner Exchange Shifts

Seattle, March 18.—James W. Perry has resigned as assistant booker of the local Warner exchange, and will be succeeded by Craig Turner, formerly in the shipping department. Turner's position will be filled by Dan Weston, and Earl Bangasser will be added to the force. Morton Endert, son of a former manager of Paramount's local branch, will join Warners' ad sales department.

Buys Two Houses

New Orleans, March 18.—J. C. Noble has purchased the Temple and Rex at Leland, Miss., from Mr. and Mrs. W. R. Pattie. The Temple, largest house in Leland, will be remodeled and a new cooling system installed. The Rex is a negro house.

O'Neill Quits 20th-Fox

Des Moines, March 18.—Edward P. O'Neill, former office manager and later salesman at the 20th Century-Fox exchange here for the past eight years, has resigned and returned to his former home in Kansas City.

Plans Negro Theatre

Galveston, Tex., March 18.—Mrs. Anita Martini, owner of the Dixie, is planning the opening of a new negro theatre here. The theatre will be named the Carver.

Belasco Succeeds Brower

San Francisco, March 18.—Al Belasco of Chicago has succeeded Jay Brower, veteran Coast showman, as musical director at the Golden Gate Theatre.

Provide Theatre Parking

St. Louis, March 18.—Fanchon & Marco has started preparations for a free parking lot for patrons of the Fox, St. Louis and Missouri Theatres in the Grand Boulevard theatre belt.

Plan Birmingham Theatre

Birmingham, Ala., March 18.—Birmingham Theatre Operating Co., owned by the Wilby interests, has purchased a lot here for a suburban theatre.

Takes Illinois Theatre

St. Louis, March 18.—Charles Goldman, owner of the Rivoli and Senate, neighborhood houses, has purchased the O'Fallon Theatre in O'Fallon, Ill.

Building Kentucky House

Munfordville, Ky., March 18.—Construction of a new theatre here will begin within a few weeks and is expected to be completed by early Fall.

Open in Jackson, Miss.

Jackson, Miss., March 18.—The Pix Theatre, new house, has opened here. It seats 600. W. H. Jones has been named manager.

Buys House in Iowa

Eldon, Iowa, March 18.—A. L. Halfel has bought the Ritz here from Paul Walter.

Alter St. Louis House

St. Louis, March 18.—The Salisbury, neighborhood house owned by the Kaimann Brothers, is undergoing alterations.

U. A. Promotes Mariner

Denver, March 18.—Bern Mariner, office manager of the United Artists exchange, has been promoted to salesman, covering the northern territory, replacing Fred Lind, who resigned to devote all his time to his theatres at Rifle, Col. The office manager post goes to George H. McCool, brought here from Omaha.

Enlarge Cincinnati House

Cincinnati, March 18.—Maurice Chase, who recently leased the 290-seat suburban Crescent, will build an addition at the rear and install new seats to increase the capacity to over 500. The house, owned by John and Adeline Crone until sold to the Harris Realty Co. some months ago, formerly was operated by Miles Vance.

Takes Two in Pennsylvania

Philadelphia, March 18.—R. L. Schmidt, operator of the Strand and Temple at Berwick, Pa., will open two new houses. At Shickshinny he has taken over the former Agnew Opera House, which will be rebuilt, and at Mocanaqua, the former Cort Theatre.

Manager Transferred

Louisville, March 18.—Formerly manager of the Elks, New Albany, Ind., Ford Tracy has replaced Thomas Muchmore as manager of the Vogue here. Muchmore left early in the week for Hollywood, it was reported.

Cinema Circuit Acquires Savoy

The Savoy, 735-seat theatre at 112 W. 34th St., has been acquired by the Cinema Circuit (Max A. Cohen). Walter Reade is the former owner of the house.

Operates Garden at Trenton

Margina Co. is the new operator of the Garden, Trenton. Buying and booking for the house will be handled by Isaac Levy.

Building at Corpus Christie

Corpus Christi, Texas, March 18.—Consolidated Theatres, Inc., is building a 400-seat house costing $17,000, and scheduled to be finished early in April.

Rebuild Arkansas House

Dermott, Ark., March 18.—The Allied Theatre, which burned Dec. 30, has been rebuilt and reopened by C. H. McCroskey, owner and manager.

House Re-Named Fine-Arts

The Filmarte, 800-seat house taken over by Di Carlo Brothers after having been closed for some time, has been re-named the Fine Arts.

To Remodel Kansas House

Kansas City, March 18.—Charles R. Gregg has completed plans for completely remodeling the Liberty at Caney, Kan., this Spring.

Operates Bronx House

Cantfield Amusement Corp. is the new operator of the Devon at 241 E. Tremont Ave., Bronx.

Century Gets New House

Century Circuit is now operating the Glenwood, 1475 Flatbush Ave., Brooklyn.

RCA Photophone Deals Set

RCA Photophone has closed deals for equipment with the following: Century Theatres, for a 500-car drive-in theatre at Memphis; the Town Hall at Cazenovia, N. Y., which is being remodeled; the Hampden Amusement Co., building a new h[illegible] at Westport, Md., and John L[illegible], who will remodel a house taken over at Carmichaels, Pa.

Shift Loew Managers

Springfield, Mass., March 18.—Lou Cohen, of the Palace, Hartford, Conn., has been transferred to manage the Loew-Poli here temporarily, while manager George Freeman is recuperating from an operation at Mt. Sinai, New York. Meantime, Jack Simons and Sidney Klepper manage the Palace, Hartford.

Plans Rhode Island House

Westerly, R. I., March 18.—The Zoning Board of Review has approved the petition of Samuel Nardone & Co. to have land on the Boston Post Road at Shelter Harbor rezoned from residential to business. The petitioner explained that a theatre will be erected on the rezoned site, work to start April 1 and to be completed by June 15.

Means Shifts Name, Policy

Kansas City, March 18.—The Bagdad, Jay Means' suburban house here, has changed front, name, and policy. Now the Carrol, the house has eliminated its Sunday bargain of 10 cents, and gone to 15 cents for all three changes of the week. It also has a new sign.

Lease Kentucky Theatre

Cincinnati, March 18.—J. Ebersole Crawford and John F. Loofborough, operating the suburban Cheviot, will lease the 650-seat house to be built at nearby Ft. Mitchell, Ky. This will be the first theatre in the town.

Build Drive-in Near Albany

Albany, March 18.—Owen Holmes and John Gatelee, Springfield, Mass., exhibitors, have started work on a new 450-car drive-in theatre three miles outside of Albany. The theatre is scheduled to open May 15.

Manages Columbus House

Columbus, O., March 18.—M. J. Cullen, Loew's Western division manager, has appointed Joseph Sloan as manager of the local Broad Theatre, succeeding Clinton G. Wander, resigned.

Schines Plans New House

Norwalk, O., March 18.—Schines, who operate the local Forum and Moose, will build a new $100,000 theatre here, for which plans have been completed.

Buy Iowa Theatre

Ottumwa, Iowa, March 18.—The Ottumwa Theatre Co., operated here by Jacob Cohan and the Tri-States Theatre Corp., have bought the Grand Opera House.

Opens Theatre in Texas

West Columbia, Texas, March 18.—The new Capitol has been opened by L. O. Wallace, who operates the Long Theatres.

she was afraid of men ..
one stolen kiss...
she knew what she wanted!

THE SPICY ROMANCE OF A "DEAD-END" GIRL AND A LIVE-WIRE BOY!...

Even hard-boiled New York gasped and laughed at the audacity of the characters in the stage play. Now Ginger puts new ginger in the role of the right girl from the wrong side of town who wise-cracked through love and disillusionment—and back again!.. A show right in the groove for filling your best playing time!

GINGER ROGERS JOEL McCREA

PRIMROSE PATH

with

MARJORIE RAMBEAU
HENRY TRAVERS
MILES MANDER
QUEENIE VASSAR · JOAN CARROLL

Produced and directed by
GREGORY La CAVA

Screenplay by Allan Scott
and Gregory La Cava

RKO
RADIO
PICTURES

'Woman' Hits Good $11,000 Denver Gross

DENVER, March 18. — In spite of heavy snow all first runs were above average with "I Take This Woman" at the Denver taking $11,000. "Dr. Cyclops" drew $8,000 at the Denham, and "Brother Rat and a Baby" and "British Intelligence" were good for $4,500 at the Paramount.

Estimated takings for the week ending March 13:

"Grapes of Wrath" (20th-Fox)
ALADDIN—(1,400) (25c-49c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
"Broadway Melody of 1940" (M-G-M)
"Saint's Double Trouble" (RKO)
BROADWAY — (1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $2,500)
"Dr. Cyclops" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,000. (Average, $6,500)
"Man From Dakota" (M-G-M)
"Vigil in the Night" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $9,000)
"Brother Rat and a Baby" (W. B.)
"British Intelligence" (W. B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"My Little Chickadee" (Univ.)
"My Son Is Guilty" (Col.)
RIALTO—(878) (25c-40c) 7 days, "Chickadee," 2nd week. Gross: $2,000. (Average, $1,750)
"I Take This Woman" (M-G-M)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)

'Lincoln' at $6,400 Best in New Haven

NEW HAVEN, March 18. — "Abe Lincoln in Illinois" and "Marines Fly High" was the only over average business in town, giving the Roger Sherman $6,400. The Loew-Poli, with "I Take This Woman" and "Blondie Brings Up Baby," did $8,000, and the Paramount grossed $4,000 with "Swiss Family Robinson" and "Double Alibi."

Estimated takings for the week ending March 14:

"The Grapes of Wrath" (20th-Fox)
"Young As You Feel" (20th-Fox)
COLLEGE—(1.499) (35c-50c) 7 days, 2nd week. Gross: $2,200. (Average, $2,700)
"I Take This Woman" (M-G-M)
"Blondie Brings Up Baby" (Col.)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $8,000. (Average, $8,000)
"Swiss Family Robinson" (RKO)
"Double Alibi" (Univ.)
PARAMOUNT—(2,348) 7 days. Gross: $4,000. (Average, $4,000)
"Abe Lincoln in Illinois" (RKO)
"Marines Fly High" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,400. (Average, $5,000)

'Melody' in St. Louis Garners Big $15,000

ST. LOUIS, March 18.—"Broadway Melody of 1940," led the city with $15,000 at Loew's State, dualed with "Congo Maisie." "Dr. Ehrlich's Magic Bullet" took $12,000 at the Ambassador.

Estimated takings for the week ending March 14:

"Pinocchio" (RKO)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $11,000. (Average, $11,000)
"Broadway Melody of 1940" (M-G-M)
"Congo Maisie" (MGM)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $15,000. (Average, $13,000)
"Dr. Ehrlich's Magic Bullet" (W. B.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $12,000. (Average, $11,500)
"Vigil in the Night" (RKO)
"Abe Lincoln in Illinois" (RKO)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,500. (Average, $4,000)

Critics' Quotes . . .

"TOO MANY HUSBANDS" (Columbia)

Neatest comedy trick of many a movie moon is to be found in "Too Many Husbands." . . . The heroine couldn't make up her mind . . . and between cases of hysterics, the audience couldn't do any better. . . . A strictly streamlined version of the typical bedroom farce.—**Jimmy Starr, Los Angeles Herald Express.**

A comedy that will find a special favor with the debutante. . . . A comedy that is to end all screwball nonsense. . . . It's foolish, but a nice foolishness. . . . The plot itself is as light as featherdown.—**L. A. Examiner.**

"Too Many Husbands" has much to offer of rich humor, and goes along prettily for three-fourths of its course, but the last quarter drops considerably because of the repetition of the same idea. . . . Plot is a comedy treatment of the Enoch Arden idea.—**Edwin Schallert, L. A. Times.**

More than slightly "tetched in the haid," but nevertheless, a giggle provoker from beginning to end. . . . First rate comedy.—**Wanda Hale, N. Y. Daily News.**

The gayest, sprightliest comedy of the season. . . . Claude Binyon's adaptation of the Somerset Maugham play is an expertly fashioned piece of work with fast plot and super-sophisticated laugh provoking lines.—**Lee Mortimer, N. Y. Daily Mirror.**

Wesley Ruggles and Claude Binyon have made a gorgeous, if sometimes wearisome screen comedy out of Somerset Maugham's successful play. . . . Depends almost entirely on smart dialogue and smarter acting. **Robert W. Dana, N. Y. Herald Tribune.**

A gay little comedy, "Too Many Husbands" is a matter of slick direction, writing and acting. The story is practically featherweight, but deft handling makes it a succession of amusing incidents.—**N. Y. Journal and American.**

Jean Arthur, Fred MacMurray and Melvyn Douglas are combined for farce comedy in a completely frivolous film. . . . Director Wesley Ruggles has let his cast go nonsensically slapstick, and they have a heck of a good time.—**Irene Thirer, N. Y. Post.**

A nonsensical, flippant tale that develops with considerable wit and humor. . . . Ends on an inconclusive note but not before its single situation has started to show signs of wear and tear.—**Newsweek.**

"MY SON, MY SON" (Small-U. A.)

Very much in the adult class as a picture event, "My Son, My Son" assists the forward march of intelligent entertainment, which seems to have arrived at new goals during the present season. . . . An unusually well-chosen cast.—**Edwin Schallert, Los Angeles Times.**

With rare charm and dramatic tenderness, Howard Spring's inspiring novel has been brought to the screen. . . . It is fine. It is beautiful. . . . Brian Aherne gives a performance that definitely makes him a candidate for Academy honors.—**Jimmy Starr, L. A. Herald Express.**

"THREE CHEERS FOR THE IRISH (Warners)

The loud pedal is on all the way in noisy, boisterous "Three Cheers for the Irish," which is a picture with a thoroughly human idea that is handicapped by veritable tornadoes of stentorian talk.—**Los Angeles Times.**

Amusing and gusty, and entertaining. The title doesn't make any secret of the plot, which is "Three Cheers for the Irish" all the way through. . . . Isn't a great picture, but it's a lot of fun.—**L. A. Examiner.**

The rambling, windy story of a retired Irish-American cop . . . Those who are not allergic to some broad comedy of the brogue-and begorrah school may enjoy the film's legitimately homely moments.—**Newsweek.**

"STRANGE CARGO" (M-G-M)

"Strange Cargo" is a strange film, more remarkable for effort than attainment. . . . A ponderous and only occasionally interesting film. . . . It is Miss Crawford's picture.—**Laura Lee, Philadelphia Bulletin.**

Any way you look at it, "Strange Cargo" is a strange movie. Strange and fascinating, it may be added, in its own peculiar way. . . . Part ripe, raw melodrama, part mystical miracle play.—**Philadelphia Inquirer.**

In the guise of a romantic adventure yarn, the film delivers a sermon. . . . Has melodramatic interest.—**Elsie Finn, Philadelphia Record.**

Mysticism is the theme. . . . Clark Gable and Joan Crawford make the most of their situation. . . . It is an unusual photoplay, mixing melodrama with dashes of mysticism. . . . Sometimes the mixture doesn't quite jell.—**Philadelphia Ledger.**

Lenten Period Hits Montreal Grosses

MONTREAL, March 18.—The observance of Passion Week, a restrictive period of Lent, had its effect on theatre returns, although "Gone With the Wind" held up to $16,000 for its fourth week at Loew's. "The Story of Dr. Erlich's Magic Bullet" grossed $6,500 at the Palace, while "My Little Chickadee," playing alone at the Capitol, drew $5,000.

Estimated takings for the week ending March 15:

"My Little Chickadee" (Univ.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $5,000. (Average, 58,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.13) 4th week. Gross: $16,000. (Average, $8,000)
"Over the Moon" (U. A.)
"Mexican Spitfire" (RKO)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)
"Dr. Ehrlich's Magic Bullet" (W. B.)
PALACE — (2,600) (25c-40c-55c-65c) 7 days. Gross: $6.500. (Average, $10,000)
"The Earl of Chicago" (M-G-M)
"Fast and Furious" (M-G-M)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,500. (Average, $5,500)

Short Subject Reviews

"Two of a Kind"

(Paramount)

This Grantland Rice Sportlight subject pictures famous brother and sister combination in the sporting world, and should be enjoyable to every sporting fan. Seen are the Rideout twins, Texas track stars; the Patrick brothers, sons of Lester Patrick, New York Rangers hockey coach; the two expert sons of Charles Brickley, famous drop kicker; the DiMaggio brothers of baseball fame, and others. Running time, 10 mins.

"Ants in the Plants"

(Paramount)

An amusing cartoon novelty in color, this pictures the preparations of the ant colony for protection against the ant-eater. When he appears, the scouts sound the alarm, and forces are mustered to rout the intruder. Running time, 7 mins.

"George Olsen and His Music"

(Paramount)

One of the Paramount Headliner series, this musical subject features the Olsen band rendering popular numbers, with vocal arrangements by Jean Blair, the Harrison Sisters and the Bachelors. It is an entertaining subject of its kind. Running time, 10 mins.

'Heidt Band,' 'Ehrlich' Highlight Milwaukee

MILWAUKEE, March 18.—Show and sleet combined with the annual Home Show in the auditorium hurt grosses. Best was Horace Heidt and his band at the Riverside with "The Lone Wolf Strikes," taking $12,500. "Dr. Ehrlich's Magic Bullet" and "Millionaire Playboy" collected $8,000 at the Warner and "Broadway Melody of 1940" and "The Earl of Chicago" hit $6,800 at Fox's Wisconsin.

Estimated takings for the week ending March 14:

"Music In My Heart" (Col.)
"His Girl Friday" (Col.)
PALACE—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"The Lone Wolf Strikes" (Col.)
RIVERSIDE—(2,700) (30c-40c-55c) 7 days. Stage: Horace Heidt. Gross: $12,500. (Average, $6,500)
"Gone With the Wind" (M-G-M)
STRAND—(1,400) (75c-$1.10) 7 days. Gross: $4,800. (Average, $1,500)
"Dr. Ehrlich's Magic Bullet" (W. B.)
"Millionaire Playboy" (RKO)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $4,500)
"Broadway Melody of 1940" (M-G-M)
"The Earl of Chicago" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $5,500)

Nixon Changes Mind

TORONTO, March 18.—H. C. Nixon, Provincial Secretary of Ontario, has withdrawn his resignation from the Provincial Cabinet because of his opposition to the condemning of "Canada at War" by Premier Hepburn for political reasons. The episode came to a close following a conference between Nixon and Hepburn when their differences were patched up.

'Divorcement' Best in Loop With $16,200

CHICAGO, March 18.—"Bill of Divorcement," given a world premiere at the RKO Palace plus "Millionaire Playboy," did an excellent $16,200 in a week that was somewhat dull. The personal appearance of Edgar Kennedy at the State-Lake helped to boost the gross for "Green Hell" to $16,000. The weather was unsettled most of the week.

Estimated takings for the week ending March 13-16:

"Man From Dakota" (M-G-M)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $5,600. (Average, $6,000)

"Grapes of Wrath"
CHICAGO—(4,000) (35c-55c-75c) 7 days. 2nd week. Stage: Stage Revue. Gross: $30,300. (Average, $32,000)

"Castle on the Hudson" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. 2nd week. Gross: $4,000. (Average, $5,000)

"Gone With the Wind" (M-G-M)
ORIENTAL—(3,200) (75c-$1.10-$1.50) 7 days. 7th week. 3 shows daily. Gross: $40,000. (Average, $13,000)

"Bill of Divorcement" (RKO)
"Millionaire Playboy" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $16,200. (Average, $12,000)

"Sidewalks of London" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $10,500. (Average, $11,000)

"Green Hell" (Univ.)
STATE-LAKE—(2,700) (25c-35c-50c) 7 days. Stage: Edgar Kennedy & Revue. Gross: $16,000. (Average, $12,000)

"Northwest Passage" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. 3rd week. Gross: $12,200. (Average, $14,000)

"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days. 7th week. 2 shows daily. Gross: $14,200.

New York Review

"Forgotten Girls"

(Republic)

"Forgotten Girls" is a variation on the familiar theme of the newspaperman and the girl who is sent to prison for a crime she did not commit, the variation being that Louise Platt, the convicted girl, believes she actually committed the crime.

The prison to which she is sent, however, resembles a comfortable summer vacation colony much more than it does any existing prison. Despite the protests of her roommate that the prison is an undesirable place, Miss Platt finds the institution a haven more desirable than the factory in which she had worked.

While attempting to repulse the attentions of Jack LaRue, Miss Platt strikes him and flees, thinking that he is dead. Her stepmother, Wynne Gibson, finds LaRue still alive and kills him because he has transferred his attentions from her to Miss Platt. Donald Woods, the reporter assigned to cover the case, suspects Miss Gibson and ultimately proves her guilt.

Others in the cast include Robert Armstrong, Eduardo Ciannelli, Barbara Pepper and Charles D. Brown. Robert North produced and Phil Rosen directed.

Running time, 68 minutes. "G."*

EDWARD GREIF

**"G" denotes general classification.*

Court Ruling in Gary Case Delayed Week

CHICAGO, March 18.—Due to the illness of Albert Gavitt, attorney for the Gary Theatre Co., which accuses Balaban & Katz and the majors of monopolistic practices, a decision in the case will not be rendered until March 25. The court has orally announced its intention of dismissing the case due to a lack of evidence.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN

"Do you have any sayings down Texas way about people knowing whether they're wanted or not?"

"No ma'am—but we got a sayin' that women don't always say what they mean."

A Republic PICTURE

Coast Flashes

HOLLYWOOD, March 18.—Samuel Goldwyn and his wife left today for Phoenix, Ariz., for a vacation of from three to four weeks.

Jake Wilk and Mort Blumenstock arrived today for conferences with Jack L. Warner and Hal B. Wallis.

Ed Stein of the Goldwyn New York office has taken over the publicity duties of Jock Lawrence who will take a month's leave of absence to recuperate fully from a pneumonia attack.

Barrett McCormick and Herbert Wilcox arrived at RKO today for conferences. McCormick will spend 10 days here with Perry Lieber, studio publicity head, while Wilcox will decide on production plans.

William Saal, Republic special sales representative; Walter Compton, studio publicity director, and Sam Abarbandel, his aide, left over the weekend to arrange for the world premiere of "Dark Command," at Lawrence, Kan., about April 6.

Atlas in Big Merger With Curtiss-Wright

(*Continued from page* 1)

poration, and all shares of the separate corporation will be owned by the present common stockholders of Atlas.

At the conclusion of the contemplated transactions, Atlas common stockholders will own in part Curtiss-Wright shares obtained in the merger and in part common shares of this new separate corporation.

Odlum, in a special statement, said in part:

"While a merger of an industrial company witn an investment company is unique in the history of finance, it is entirely logical and, in this instance, mutually advantageous.

"For Curtiss-Wright it is a new method of finance coupled with an effective way of improving the capital structure, and there seem to be other corporate advantages.

"For Atlas Corporation common stockholders it opens the way for the same management to carry on for the same stockholders in the field which said management considers most profitable and constructive. . . .

"By this proposed merger, the multiple capital structure of Atlas is eliminated. . . ."

Neely Bill Seen As Censorship Peril to Trade

DETROIT, March 18.—Passage of the Neely bill "will saddle the industry with about 6,500 local censorship boards" under the measure's "community selection" provisions, according to a statement by Co-Operative Theatres of Michigan.

The organization, which has a membership of 100 independent exhibitors in Michigan, has been campaigning against the bill. It filed objections to the bill with the House Interstate and Foreign Commerce Committee last month in Washington and submitted a proposal for seven amendments, providing for 20 to 25 per cancellation and other measures.

The proposed amendments, in the opinion of the organization, would solve many industry problems and provide for self-regulation. One of the suggestions calls for arbitration of disputes, reserving the right to the complainant to appeal for relief to the Federal District Court.

Tom McGuire, public relations director of Co-Operative, explained this proposal as follows:

"Action against a willful violator could be rapidly obtained through the District Attorney of the Federal District Court. A request for a 'show cause' order by the District Attorney or just 'inquiry for facts' from the offender after a complaint would in most instances bring the recalcitrant back to the letter of the law in short order. The proposal is made to allow the industry to wash its own linen within the industry and to prevent Government regulation."

Zukor Arrives, Sees 2-Months Stay Here

(*Continued from page* 1)

half months business trip to Central and South America.

Zukor said he had been greatly impressed with the potentialities of the Latin American market, its modern theatres and the business ability and showmanship of the exhibitors. He urged production of "good, action pictures" with a slant for the Latin American market as the best means of increasing returns for Hollywood product there.

Television and Films, Seldes' Ampa Topic

Gilbert Seldes, director of television for CBS, will discuss television in relation to the film industry at the Ampa luncheon meeting Thursday at Dempsey's restaurant.

Worthington Miner, formerly director for the Theatre Guild and now with CBS, also will speak. Several entertainment specialties will be provided by the network.

Hollywood Studio Notes

Hollywood, March 18.—Margaret Webster, New York stage director, dramatist and actress, has signed a novel contract with Paramount under which she will be permitted to write, act or work with directors and producers for a period of six months before receiving a definite assignment. At the end of that time, either party has the right to drop or continue the pact. Daughter of Dame May Whitty and Ben Webster, Miss Webster wrote the play "Royal Highness," played in Lunt and Fontanne's production of "The Sea Gull," and last year co-starred with Judith Anderson in "Family Portrait" as well as directed it.

Paramount is right across the street from RKO, where Producer-Writer-Director - Actor Orson Welles works.

Vina Delmar and her husband, Eugene Delmar, have been signed to do the script for M-G-M's "The World We Make," which Hunt Stromberg will produce. . . . Walter Wanger has loaned Broderick Crawford to Universal for a lead in "Trouble in B Flat." . . . W. S. Van Dyke II will direct William Powell and Myrna Loy in "I Love You Again," romantic comedy at M-G-M. Lawrence Weingarten will produce. . . . Edward Small has signed Gene Lockhart for "South of Pago Pago," featuring Jon Hall, Victor McLaglen and Frances Farmer.

Madeleine Carroll will be starred in Paramount's "Virginia," and the picture has been postponed by producing director E. H. Griffth to permit the blonde actress to finish first her role in DeMille's "North West Mounted Police." . . . Helen Westley joins the cast of Warners' "All This and Heaven, Too." . . . The Merry Macs, featured on the Fred Allen air show, will be seen and heard in Paramount's picture starring Allen and Jack Benny. . . . Warners has given Claude Rains a contract extension.

M-G-M is reported dusting off a number of William Haines vehicles of silent days with a view to fitting them to George Murphy. . . . William Menzies has been signed by Walter Wanger to assist in the production of "Personal History." . . . Gregg Toland, Academy photography award winner for 1939, has been signed by John Ford to photograph "The Long Voyage Home." . . . Another authoress signed for screen work is Dorothy Canfield, who will adapt her *Readers' Digest* story, "New Americans in Vermont," at M-G-M. . . . Bradbury Foote is doing the script of "Osborne of Sing Sing" at M-G-M. . . . Steve Sekely, film director, has been signed by the Don Lee experimental television station W6XOA to direct two one-hour plays, first productions of that length to be essayed on the Coast.

Smiley Burnette may head his own radio show, it was indicated following the dropping of negotiations under which Burnette would have joined Gene Autry's program. . . . Grant Withers has stepped down temporarily from his associate producer's post at Monogram to work as an actor in "Tomboy," co-starring Jackie Moran and Marcia Mae Jones. . . . Ann Sothern, Humphrey Bogart and Donald Crisp go into Warners' "Brother Orchid." . . . Fredric March has been signed to star in "Victory," from the Joseph Conrad novel, at Paramount. . . . 20th Century Fox has signed Adolphe Menjou for the title role in "The Great Profile."

Mrs. Scully Rites Held in Brookline

Boston, March 18.—Services for Mrs. Mary Scully, mother of William A. Scully, Universal vice-president and general sales manager, were held in Brookline today. Burial was in Calvary Cemetery.

Mrs. Scully died last Thursday following a long illness. She is survived by two other sons, John Scully, Universal branch manager at Buffalo, and Frank Scully, M-G-M salesman in Washington, and a daughter, Florence.

Theatre Profit $41,905

Toronto, March 18.—Eastern Theatres, Ltd., Toronto subsidiary of Famous Players Canadian Corp., operating the Imperial Theatre, has reported a net profit of $41,905 for the fiscal year ending Dec. 28 after provision for all charges, this being equal to $8.38 for each of the 5,000 seven per cent preferred shares.

Cut Auditorium Loss

Kansas City, March 18.—The Municipal Auditorium will lose about $140,000 in operating expenses during the fiscal year ending April 30, it is estimated. This amount, which the taxpayers will contribute, is about $60,000 less than the amount lost in the preceding year.

File Interrogatory In Boston Trust Suit

Boston, March 18.—Four of the plaintiffs in the Boston anti-trust suit, which will appear on the March term calendar, filed a list of interrogatories to defendant, Loew's Inc. The plaintiffs who filed were: Lynn Open Air Theatre, Inc., E. M. Loew's, Inc., Miami Drive-In Theatre, Inc., and the Winchester Theatre Corp.

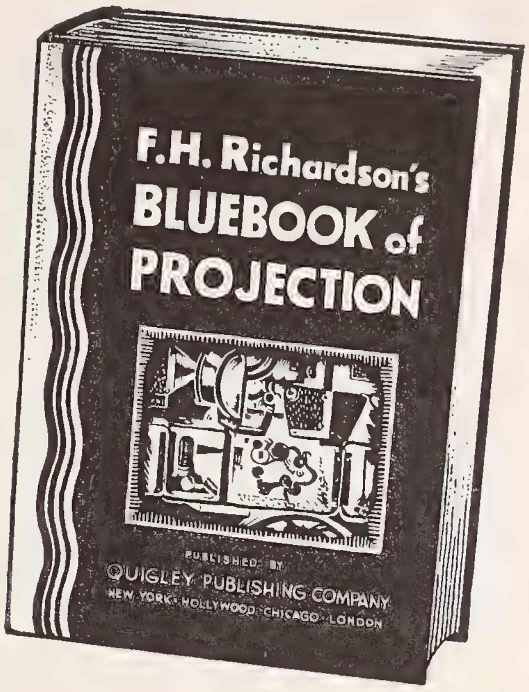
The interrogatories were filed and acknowledged. Judge Ford extended the time of Loew's, Inc., for filing answer to the plaintiff's interrogatories to April 1, and the time in which the defendant may present any objections to March 27.

Suspend License

Seattle, March 18.—The license of the Rialto, film and burlesque house, has been permanently revoked by the City Council after a public hearing which brought forth numerous witnesses to alleged immoral and indecent stage shows.

Bank Night in Canada

St. Andrews, N. B., March 18.—Bank Night is being offered two nights weekly at the Marina here. Under the plan, if a winner is not in the house when his name is called, $10 is added to the next drawing.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PROJECTION
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MOST ADVANCED TEXTBOOK ON MODERN SOUND REPRODUCTION AND PROJECTION

SECOND REVISION
SIXTH EDITION — SUPPLEMENTED WITH
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Armstrong Sees FM Network Link

WASHINGTON, March 18.—Radio networks linked by frequency modulation transmission, instead of by telephone wires, were envisioned by Major Edwin H. Armstrong, inventor of a system of noiseless FM transmission, at the opening of hearings by the F.C.C. today.

Armstrong admitted that such system could not become available to rural areas for some years. He declared that high fidelity reception will never be possible on the present broadcast band because the 10 k.c. separation is insufficient. FM transmission requires a wider band but the sharp limitation of the FM service area will permit the operation of a larger number of stations on the same frequency, he said.

The use of wire connections between stations limits the value of the FM system, Armstrong explained, because of the inherent limitations of wire with respect to the elimination of noise and other factors.

Three manufacturers are now producing FM transmitters and 10 companies are now manufacturing or preparing to manufacture FM receivers, he said.

After the hearing, Armstrong pointed out that FM is adaptable for television and that he would testify further on this subject at subsequent hearings. The sessions are expected to last all week.

Holy Week Causes Slump in Grosses

(Continued from page 1)

the weekend. It should finish its first week tonight with an estimated $60,000, and will be held over.

"Young Tom Edison," plus a stage show, at the Music Hall also did a good weekend business and should bring an estimated $83,000 for the first stanza, which ends Wednesday. It will also be held over.

At the Roxy, "My Little Chickadee," with a stage show, drew an estimated $23,000 for the first three days and will be held for one week only. "The Primrose Path" opens there Friday.

At the Strand, "Three Cheers for the Irish," with stage show, took an estimated $12,000 for the first three days of its second week, and will be followed Friday by "Virginia City."

"Pinocchio" should gross an estimated $20,000 for its sixth week which ends tonight at the Center, and will be held for a seventh.

"Gone With the Wind" is still at capacity at the Astor with an estimated $22,000 for the 13th week. At the Globe, "Castle on the Hudson" grossed an estimated $7,000 for its second week and is staying for a third. "Double Alibi" took an estimated $6,200 in a week at the Rialto and was replaced Saturday by "Millionaire Playboy."

Photographers' Dance

George Jessel, Henny Youngman, Harry Hershfield and Milton Berle will share master of ceremonies duties at the annual dance and entertainment of the Press Photographer's Association of New York at the Astor on April 12. About 3,500, including screen, stage and radio personalities, are expected to attend.

New York Review

"The Outsider"

(Alliance Films)

The story of the healing of a supposedly hopeless cripple, who has felt herself an outsider because of her inability to walk properly, by a bone specialist who is considered an outsider by the medical profession, this is a dramatic film.

Produced by Associated British Pictures, with Walter C. Mycroft in charge of production, the film stars Mary Maguire as the crippled girl, and George Sanders as the allegedly unethical practitioner, whose therapeutic machine accomplishes the cure.

The girl, daughter of one of London's leading surgeons, who has a hatred of such unlicensed practitioners as Sanders, finally goes to Sanders as a last hope against her father's will. She is able to bear the pain and discomfort of the year-long treatment because of her love for Peter Murray Hill, musical comedy song writer who has collaborated with her in musical work.

As Hill's interest wanes, Sanders keeps the truth from her, at the same time falling in love with her himself. At the test of her ability to walk, with several doctors as witnesses, she almost fails, then her awakened love for Sanders gives her strength to prove his treatment a success.

Running time, 90 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

London Business Off 50%—Raymond

Theatre business in London's West End, the principal theatrical section, is still 40 to 50 per cent off despite easing of some of the war restrictions, it is reported by Charles Raymond, for the last seven years general manager of M-G-M houses in the British capital.

Raymond arrived yesterday on the *Manhattan*. He plans to remain here and will be given a new assignment by Loew's. Sam Eckman, M-G-M managing director in England, has added supervision of the London theatres to his duties.

The blackout and stagger system of closing at West End theatres has drastically cut grosses, but theatre business in the provinces is much better, said Raymond. Under the stagger system, theatres close at 10-minute intervals beginning at 10:50 P. M., while all theatres must be closed by 11:50 P. M.

One of the restrictions was that no more than 2,000 patrons may be in a theatre after 6 P. M. This directly affected the Empire, Loew's ace house, which seats 3,200, sharply cutting the grosses, and made it necessary for the theatre to curtail the sale of tickets after 4 P. M. After some negotiation, Eckman was successful in persuading the authorities to permit unlimited attendance. The other Loew theatre in London is the Ritz, used as a moveover from the Empire.

Raymond, who has been with Loew's since 1927 and has managed several theatres for the circuit in this country, including the Valencia in Jamaica, L. I., went abroad originally to open the Metro in Johannesburg in 1932. A year later he was transferred to London.

Irish Rule at Strand

Vying for the distinction of the most Celtic bill in the city over the St. Patrick's Day weekend was the Strand theatre with "Three Cheers for the Irish" on the screen and Johnny McGee's orchestra and Morton Downey on the stage.

Missouri Tax Shows 1939 Theatre Gain

KANSAS CITY, March 18.—If sales tax collections are any indication, film and other theatres did over $600,000 more business in Missouri in 1939 than they did in 1938. The $315,816.16 collected under the two per cent sales levy in 1939 from "theatres and picture shows," represents a total business of $15,790,808. In 1938, Missouri collected $303,086.37, which represents a business of $15,154,318.50. Total tax collections in 1938 were $20,375,730.69; in 1939, $22,264,482.73, a new high.

Film competition, represented by (1) other shows, attractions and amusements, (2) athletic contests, and (3) dances, did a total business of $4,101,711 in 1938 and $4,216,555 in 1939, on the basis of the sales taxes collected from them. Dances fell off slightly, from $249,119.50 to $239,662.50, but athletic contests increased from $1,524,318.50 to $1,635,154.

Anti-Neely Radio Program Dropped

Plans for a nationwide radio network program to enlist public opposition to the Neely bill have been dropped. The suggestion for such a program is understood to have been made by Harry Brandt, and a meeting on the subject was held in the office of Howard Dietz at M-G-M late last week.

The Ampa Neely bill committee, which is lining up industry and public opposition to the measure, held a meeting yesterday at the Astor Hotel. The following were present: Martin Starr, chairman; Kenneth Clark of the Hays office; Leon Bamberger, RKO; Herbert Berg, Paramount; Paul Lazarus, Ampa president, and Eli Sugarman.

N. J. Allied Meeting

A meeting of the Allied Theatre Owners of New Jersey will be held Thursday at the Ritz Restaurant in Passaic with a beefsteak dinner following.

Radio Brevities

A SERIES of world-wide broadcasts boosting the New York World's Fair are scheduled to start Sunday, April 7, and continue each Sunday at 2 P. M. for 12 weeks ending June 23.

Called "Salute of the Americas," the series will feature personal [illegible]tings and native music from the capitals of 12 nations south of the United States.

The series will be short-waved to this country and rebroadcast by the three major networks and CBC. In addition, the programs will be re-transmitted by short wave around the globe. The opening program will come from Rio de Janeiro.

A Portrait for Bergen

An oil portrait of Charlie McCarthy and Mortimer Snerd will be presented to Edgar Bergen at a cocktail party this afternoon by Lenox R. Lohr, NBC president. The portrait, incidentally, was done by George Humphrey while he was an NBC page boy.

Personalities in the News

Tony Martin opens an engagement at the Club Versailles Thursday night. . . . Judith Anderson, starred in the Selznick film, "Rebecca," returned from Hollywood yesterday and will be heard in scenes from the film on the Kate Smith show over CBS Friday at 8 P. M. . . .

Raymond Gram Swing, Mutual commentator, will have 13 new stations added by his sponsor, White Owl cigars, beginning Monday. . . . Victor Schertzinger, film director, will be guest on the "Kraft Music Hall" on Thursday at 10 P. M. over NBC-Red. . . . Mrs. Lionel Stander will be interviewed by Polly Martin over WHN tomorrow at 10:30 A. M.

Shoe Advertising on Air

Radio sales departments which have been wrestling with the method of convincing shoe manufacturers that air advertising pays, should be interested to learn that Melville Shoe Co., maker of Thom McAn shoes, has decided to renew the early morning news periods over WABC for an additional 52 weeks. For some reason not immediately apparent, shoe companies have concentrated their advertising in newspapers and magazines.

9 of 12 New Pictures Approved by Legion

The National Legion of Decency has approved nine of the 12 films reviewed and classified for the current week, four for general patronage and five for adults. Two pictures were found objectionable in part and one was separately classified. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Enemy Agent," "Half a Sinner," "Hidden Gold," "Ma, He's Making Eyes at Me." Class A-2, Unobjectionable for Adults: "Dr. Cyclops," "It All Came True," "My Son, My Son," "Safari," "Three Cheers for the Irish." Class B, Objectionable in Part: "The House Across the Bay," "Too Many Husbands." Separately classified was "The Fight for Life."

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Circuits Begin Vaude Union Negotiations

Cooperation Marks First Industry-Wide Parley

Unionization of all vaudeville and motion picture presentation houses got under way yesterday as representatives of every major circuit met with the American Guild of Variety Artists to start negotiations.

The meeting marked the first time that an industry-wide group had met with a union representing vaudeville performers to discuss a vaudeville contract.

Represented were deluxe presentation houses, vaudeville circuits and houses with a one-night policy.

Although both sides declared after the meeting that discussions had started in a spirit of cooperation, neither side would go into detail.

Committees will be appointed within the next few days and the different problems will be discussed point by point.

Hoyt S. Haddock, A.G.V.A. execu-

(*Continued on page* 6)

New Philadelphia Trust Suit Started

PHILADELPHIA, March 19.—David Milgram, head of Affiliated Theatres, operating 18 neighborhood houses in this area, today filed an anti-trust suit in U. S. District Court against Warner Theatres and the major distributors.

The action, filed by Maurice Stern, attorney, on behalf of Affiliated, M. F. S. Corp. and the Rialto Theatre Corp., charges collusion and asks

(*Continued on page* 6)

IA Strike Threatens Philly WB Theatres

PHILADELPHIA, March 19.—Receiving a "road call" notice late yesterday from George Browne, head of the International Alliance of Theatrical Stage Employees, Lew Krouse, head of I. A. Local 8 here, served immediate notice on Warner Bros. theatre circuit here that unless the musicians' union strike against Warners, now in its fourth month, is settled by April 1, all stagehands, projectionists and electricians will walk out in sympathy with the musicians.

A walkout will completely cripple

(*Continued on page* 2)

U. S. Ends Skouras Questioning, Hears Y. Freeman Today

National Theatres does not acquire theatres in territory where other exhibitors have built up their business over a long period, Spyros Skouras, president of that company, testified yesterday at a pre-trial examination in the Government's "key" anti-trust suit.

"You probably don't believe it, but that's our policy," Skouras declared to Special Assistant Attorney General Robert L. Wright. National Theatres has not increased the number of its houses since the reorganization of Twentieth Century-Fox in 1934, the film executive added.

Examination of Skouras was completed after he had testified for four hours. Y. Frank Freeman, Paramount production head, is slated to take the stand today with the Government expecting to call Neil F. Agnew, vice-president in charge of sales for Paramount, to testify next week.

The Government will also ask Nicholas M. Schenck, J. Robert Rubin and Louis B. Mayer of Loew's to appear for examination next week, it was learned yesterday.

Skouras stated that he does not confer with Twentieth Century-Fox executives on the distribution policy of that company. Since the volume of National Theatres' business depends largely on the production of the parent company, however, frequent discussions are held by him with the latter's production chiefs on this subject, Skouras said.

The National Theatres head detailed

(*Continued on page* 2)

WILCOX, RKO PLAN ALLIED WAR FILM

Production in Hollywood With British Talent, Profits to Charity

HOLLYWOOD, March 19.—A wartime Allied picture project without precedent in American production is about to be announced for production here by Herbert Wilcox under RKO auspices, according to reports heard here, in New York and Washington.

Wilcox arrived in Hollywood yesterday after conferring with George J. Schaefer, RKO president, in New York, and with Lord Lothian, British Ambassador in Washington. Wilcox has informed friends that he was "set with RKO for another picture."

His planned production is described as a widely cooperative project utilizing outstanding British and French talent now in Hollywood. Reports are that it will consist of a series of episodes, contributed by this talent, the episodes to be interconnected by a basic theme. The nature of the mosaic and its pattern have not yet been disclosed.

Among those mentioned as probable

(*Continued on page* 2)

$5,000,000 Boost In Film Business Volume Reported

WASHINGTON, March 19.—Seven motion picture producer-distributors whose securities are registered with the Securities and Exchange Commission had a combined volume of business in 1938 of $410,000,000, an increase of $5,000,000 over the preceding year, it was reported tonight by the commission in a survey of American listed corporations.

However, it was shown, profits took a decided slump, amounting to only $21,000,000, or 5.1 per cent of sales, in 1938 compared with $33,000,000, or 8.2 per cent of sales in 1937.

The commission received reports from six companies for each of four years ending with 1938, which showed that between 1935 and 1938 total assets of the group increased from $496,000,000 to $528,000,000, and volume of business increased from $334,000,000 to $408,000,000.

Net profit after all charges, however, which increased from $13,000,000 in 1935 to $27,000,000 in 1936 and $34,000,000 in 1937, dropped to $21,000,000 in 1938, and dividends paid, after increasing from $6,000,000 in

(*Continued on page* 6)

Zukor, Hicks Report Good Business in Latin America

Taxation, censorship and other legislation confronting the film industry in South America are neither discriminatory nor seriously burdensome on distributors, Adolph Zukor, Paramount board chairman, and John W. Hicks, vice-president and foreign department head, said during an interview yesterday following their return from a two- and one-half months trip to Central and South America.

"The South American countries have been very good to this industry," Zukor said. "They have nationalistic and economic problems which are reflected in occasional legislation touching this and other industries. But they cannot be expected to change their views to suit us any more than we would change ours to suit them."

"In any event," he continued, "monetary problems are not the motion picture business. Our business is to produce the best pictures we are able to produce and sell them on the best possible terms. If you have good pictures you do good business."

The two Paramount executives were enthusiastic about business conditions in the principal South American countries and reported widespread evidence of prosperity. They asserted, however, that it was "nonsensical" for industry officials to say that European losses can be recouped in Latin America.

"It is just a healthy market," they said, "which will deliver only in ratio to the quality that is sent into it."

Scribes Due Today From Virginia City

By SAM SHAIN

CHICAGO, March 19.—Not more than half of those who started from New York a week ago for the premiere of Warners' "Virginia City" in the Nevada town of that name were aboard the Forty-Niner on its homeward run. The missing members of the party continued to Hollywood after the premiere.

The returning contingent will leave here today on the New York Central's Commodore Vanderbilt. The train reaches New York at 9 a. m. tomorrow.

Happiest to be returning from Reno and Virginia City is "Batch," the Pullman porter.

"They think they got somethin' out here," he said about Reno. "Well, they got nothin'. Give me the East."

When the Forty-Niner was racing across the Continental Divide at Creston, Wyoming, "Batch" was at a car window looking out and humming to himself, "I'm comin' down the mountain, Oh, I'm comin' down the mountain."

Believe it or not, there were three

(*Continued on page* 4)

U. S. Ends Skouras Trust Questioning

(*Continued from page* 1)

at length a number of situations in which the company competes with other affiliated exhibition companies. Skouras made it clear that he felt that there was no understanding between exhibitors to divide territory as contended by the Government.

In acquiring theatres, his company had found that many independents were paying less for films than affiliated houses, Skouras stated. He also contended that the system of clearance meant larger returns for both the exhibitor and the producer and cited an early experience to prove his point.

Skouras holds 5,000 shares of stock in Twentieth Century-Fox, according to his testimony. He takes no active part in the management of the Skouras Theatres, he concluded.

Wilcox, RKO Plan Allied War Picture

(*Continued from page* 1)

participants in the cooperative enterprise are Charles Chaplin, Alfred Hitchcock, Ronald Colman, Anna Neagle, Frank Lloyd, Alexander Korda, Merle Oberon and others.

It is understood that the project contemplates that profits for the distribution of the picture are to be allocated to charities within each state of the United States where it is shown, and to local charities in each foreign territory where it may be shown.

The picture, it is said, is to be financed and distributed by RKO as a studio project in regular order of production.

◂ *Purely Personal* ▸

W. RAY JOHNSTON, Monogram president, returns to the home office today from conferences with studio heads on the Coast.

•

C. C. KELLENBERG, office manager of the 20th Century Fox Exchange in Pittsburgh, and assistant chief barker of the Variety Club there, will head the Americanization Day program for the city May 1, upon appointment by American Legion Commander DANIEL HARTBAUER.

•

LEE GARMES, RKO producer, who has been in New York for a week, left Monday evening by train for Hollywood. He will start back to New York next Monday for conferences with President GEORGE J. SCHAEFER.

•

DIRECTOR WILLIAM WYLER and his wife, the former MARGARET TALLICHET, are vacationing in Miami as one stop on a West Indies cruise.

•

JOHN FARROW, RKO director, has enlisted as a lieutenant in the Royal Canadian Navy and been assigned to the headquarters staff.

•

TIMOTHY CLEARY, M-G-M Indianapolis salesman, is the father of a son, born to MRS. CLEARY in St. Vincent's Hospital on Sunday.

•

BEN GREENBERG, manager of the Stadium, Woonsocket, R. I., is spending the week in New York.

•

GRACIE FIELDS was married in Hollywood Monday to MONTE BANKS, British producer.

•

MAX A. COHEN, head of the Cinema Circuit, has returned from a month's vacation in Florida.

MAURICE BERGMAN, Columbia advertising and publicity director, left for the studio last night by plane. He will return in about a week.

•

ADOLPH ZUKOR, JOHN HICKS, BARNEY BALABAN, Y. FRANK FREEMAN, HARRY BRANDT, CHARLES E. MCCARTHY, GEORGE WELTNER, ERNO RAPEE, TED O'SHEA, TOM CONNORS and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

LILLIAN POWERS has been elected president of the M-G-M Club in Seattle; EMMA BRATLAND, vice-president; JACK REDMOND, treasurer; BERNICE KELLY, secretary.

•

GRADWELL SEARS, BURGESS MEREDITH, GUY BOLTON, JOSEPH LEE, NAT KARSON, BEN BOYAR, DONALD GIBBS and SIDNEY PHILLIPS lunching at Sardi's yesterday.

•

JACQUES TOURNEUR, M-G-M director, is here making background shots for "Andy Hardy Meets a Debutante."

•

HARRY COHN will leave for the Coast Sunday.

LUXURIOUS SKYSLEEPERS!

Sleep your way over Dixie, plain and desert. Wake up in summertime! Only American flies the smooth, Southern Sunshine Route!

Fly American's

Southern Sunshine Route

Overnight to California

And the Sun Country

FOUR TRANSCONTINENTAL FLIGHTS DAILY

• It's a delightful night's sleep to California and the Southwest via American Airlines! Save days of travel! For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket offices: 45 Vanderbilt Avenue and Rockefeller Center at 18 W. 49th St.

FREQUENT, CONVENIENT SERVICE TO
Dallas, Ft. Worth, El Paso, Tucson, Phoenix, Los Angeles.

AMERICAN AIRLINES *Inc.*

ROUTE OF THE FLAGSHIPS

IA Strike Threatens Philly WB Theatres

(*Continued from page* 1)

the operation of Warner theatres here, it was declared. The "road call" was the result of pressure brought upon Browne by Joseph N. Weber, A.F.M. president, as a result of the failure of Warners to effect a settlement with the union last week at a meeting in Miami.

Neither Krouse nor William Harrer, who heads the stagehands unit, would comment on the strike notice. Since Ted Schlanger, Warner head here, is still in Florida, no other theatre official would make any statement on the situation.

At the Musicians' Union, A. Rex Riccardi, secretary, said that Warners had made no attempt as yet to contact the union and the feeling is that the circuit will fight the "road call" in court.

Riccardi further pointed out that the threatened walkout would not be in violation of the I. A. contract with Warners which is still in force since all contracts of both unions are subject to a mutual assistance contract between the A. F. M. and I. A.

Industry Abandons Fair Exhibit Plans

Plans for industry participation in the N. Y. World's Fair this year were formally abandoned yesterday. No further meetings on the subject will be held.

Principal reason advanced for the dropping of the proposal was the limited amount of time available to the companies for planning and effecting exhibit arrangements.

In addition, several of the companies were not inclined to appropriate funds for the purpose at this time and still others were undecided on the type of exhibit which they believed should represent the industry.

Newsreel Parade

Harold Dahl's arrival from Spain, a coal mine disaster in Ohio and a tornado in Shreveport, La., are on view in the new issues. Reels and their contents follow:

MOVIETONE NEWS, No. 55—Sumner Welles in Paris. Irish parade in N[illegible]t-York. Japanese royalty at ski troop [illegible]neuvers. Harold Dahl returns from Spain. Stratoliner in test flight. Girls don glass hats in California. Lew Lehr. Colorado vs. Duquesne basket ball game. Prizefighter Paycheck in training. Ski races at New Hampshire.

NEWS OF THE DAY, No. 253—Welles on tour in Europe. Exiled Poles parade in Paris. British pilots drop leaflets over Germany. Tornado in Shreveport. Bombers in mass flight over California. Dahls in reunion. St. Patrick's parade in New York. Texas quads in Easter bonnets. All-Star baseball game. Colorado vs. Duquesne basketball game.

PARAMOUNT NEWS, No. 58—Design for new liner in California. Tornado hits Shreveport, La. Beauty contest at Coral Gables. Mine blast in Ohio town. Police dogs trained in California. Train wreck in Texas. Sumner Wells in Paris. French censors pass war films. Ambulance driver in Finn war returns here. Harold Dahl returns from Spain. Doctors study wrestler's features; deformed "Angel" battles Gino Garibaldi.

RKO PATHE NEWS, No. 70—Coal mine explosion in Ohio. American Legion forms war-aid bureau. U. S. volunteers return from wars. Dam controversy in Oklahoma. All-Star baseball game. Girls apply for Aquacade jobs. Police dogs complete training in Califonria. Colorado vs. Duquesne basketball game.

UNIVERSAL NEWSREEL, No. 859—St. Patrick's parade in New York. Greek ships transferred to Swiss registry. Bombers span Yosemite Valley. Tornado in Shreveport, La. Coal mine blast in Ohio. Models don glass hats. Dogs trained for police work. Stratoliner in test flight. Harold Dahl home from Spain. Cleveland baseball team in training. Colorado vs. Duquesne basketball game.

Atlas Merger Won't Affect Film Holdings

The proposed merger of Atlas Corp. and Curtiss-Wright Corp. will have no effect on the investment company's interests and holdings in RKO and Paramount, an Atlas spokesman said yesterday.

Holdings in the two film companies would be included with the Atlas special investments which would be turned over to a new investment company. The new company will retain the Atlas name and Floyd B. Odlum, Atlas president, will devote most of his time to the new company, it was said.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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"NORTHWEST PASSAGE" HELD OVER 3rd WEEK!

at the big Capitol, N. Y.

Yes, indeed—
March came in
like an M-G-M Lion
bringing a worthy
successor to
"Gone With The
Wind" at the
Capitol Theatre.
And now they're
packing Broadway's
big show-shop
all over again!
It's a Hold-Over
picture if ever
there was one
because Tom tells
Dick and Dick tells
Harry and every-
body flocks over
to enjoy the
Technicolorful
Thrills! Have you
arranged for
Extra Time yet?

"NORTHWEST PASSAGE" *(Book 1—Rogers' Rangers)* in Technicolor • Starring **SPENCER TRACY** with Robert Young, Walter Brennan, Ruth Hussey, Nat Pendleton Screen Play by Laurence Stallings and Talbot Jennings Based on the Novel by Kenneth Roberts • Directed by King Vidor • Produced by Hunt Stromberg • An M-G-M Picture

Scribes Due Today From Virginia City

(*Continued from page* 1)

Pullman porters on the Forty-Niner who answered to the names of "Batch," "Butch," and "Snookey."

Barney Oldfield, Lincoln newspaperman and radio commentator, left the party at Grand Island, Neb. It is said of him that he sees more pictures than any other man in the world. He is generally introduced over station KFOR as "the man who makes his business his pleasure."

Perhaps by this time, Harry Oshrin, New York lawyer and owner of "Tobacco Road," who went on to Hollywood from Reno, may have closed with Warners for a film version of his Broadway play. Before departing for the Coast, Oshrin, as well as Jake Wilk, eastern studio representative for Warners, stated that no deal had yet been made.

"Tobacco Road" is the show to which 20th Century-Fox has claimed prior film rights.

Harold Cohen of the *Pittsburgh-Post-Gazette* got the surprise of his life at Reno when he discovered that while gambling is permitted to run wide open at all times he was unable to buy a pack of cigarettes in the city on Sunday. Also, that most of the city's drug stores harbored gambling machines but wouldn't sell cigarettes.

Cohen teamed on the trip with Karl Krug of the *Pittsburgh Sun-Telegraph,* who once headed the publicity division at the United Artists home office.

Incidentally, Paramount's "Union Pacific" was made closer to Virginia City than was Warners' "Virginia City." Some of the Warner film's location shots were made in Arizona, near Tucson. On the other hand, "Union Pacific" locationed for awhile on the spur of the Virginia City-Truckee Valley Railway at Virginia City. That track once was used for hauling ore from the Comstock lode.

When the Forty-Niner arrived in Chicago, Tom Gorman, RKO Theatres division manager, and Bill Crouch were at the station to say "Hello."

Hollywood officials who were at Reno averred that there may be another transcontinental film junket soon in cooperation with the Union Pacific Railroad. It was said that the road has asked Warners to hold a national premiere annually at Omaha, with the help of the road.

Committee Completes Ampa's Slate Today

The Ampa nominating committee will meet today to complete a slate for the annual elections.

Entertainment program for the Ampa meeting tomorrow at Dempsey's Restaurant includes Giovanni, billed as "the world's greatest pickpocket," and Danny Kaye, comedian recently featured in the "Straw Hat Revue." The CBS television department is sponsoring the serious part of the meeting, with Gilbert Seldes, director, and Worthington Miner as speakers.

Lemke Rites Today

TROY, N. Y., March 19.—Funeral services will be held here tomorrow for James Lemke, 67, I.A.T.S.E. official and president of the Troy Labor Temple, who died on Sunday at Leonard Hospital.

Hollywood Review

"Virginia City"

(*Warners*)

HOLLYWOOD, March 19.—Produced and introduced in the showmanly tradition of last year's "Dodge City," this vigorous western melodrama contains all of the things that have made for success in this field of entertainment for a quarter of a century. It is a bigger picture than "Dodge City," tells a more vital story in greater detail and supplies showmen with a more formidable list of box-office names for marquee and ad copy. It would seem plausible to conclude that it will exceed that picture's notable profit record, although only a period of public test can determine that.

The names of Errol Flynn, Miriam Hopkins, Randolph Scott, Humphrey Bogart, Alan Hale, Guin Williams, Frank McHugh and John Litel stand out from a long cast list. The name of Michael Curtiz, director accountable for this picture, for "Dodge City" and an imposing sequence of Warner action hits, is a guarantee no showman should fail to bring to the attention of his public.

The story, an original by Robert Buckner, is billed as historically accurate and the film seems to bear out the billing. The time is the latter months of the Civil War and the plot hinges upon an attempt of Southern sympathizers in Virginia City to transport $5,000,000 in gold bullion to the Confederacy. Flynn plays a Union officer sent to prevent the shipment.

Scott plays a Confederate officer commissioned to bring it in. Miss Hopkins is seen as a dance hall girl loved by both men and whose sympathy with the Southern cause conflicts with her romantic interest in the Union officer. Bogart is melodramatically present as a bandit who wants the gold for himself. There are many sequences of violent action, many battles, chases, finally the long adventure of the wagon train carrying the gold. It is here that the story develops most power.

The picture is expensively produced and carefully integrated. Robert Fellows served Hal B. Wallis as associate producer and Sol Polito's camera caught many exteriors of vast beauty.

Running time, 115 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Indianapolis Trust Suit Is Dismissed

INDIANAPOLIS, March 19.—Judge Robert C. Baltzell of the U. S. District Court here has dismissed "with prejudice at the plaintiff's cost" the Indianapolis Amusement Co. anti-trust suit against major distributors. Also terminated was a counter-suit of the majors against the local firm, with the company also bearing the costs.

The action was brought by R. R. Bair, former operator of his own circuit here and now an executive of the Olson circuit. It is understood an agreement on settlement of the case was reached by the parties in interest a few weeks ago, including payment to Bair. The litigation began in 1931 and involved complaints arising out of the old arbitration clauses, now outlawed. The Indianapolis Amusement Co. disbanded several years ago.

Theatres Expect Big Easter Week Trade

Broadway first runs are preparing for a big upswing in business during Easter Week. Stage shows at the Music Hall, Paramount, Roxy and Strand will feature an Easter theme.

Admission scales will not be raised and extra shows will be added if business warrants. Easter Sunday will find holdover films playing at the Music Hall, Paramount, Capitol and Astor. "It's a Date" goes into the Rivoli on Thursday, "The Primrose Path" into the Roxy on Friday and "Virginia City" into the Strand on the same day. Easter Sunday Sunrise Services will be observed at the Music Hall.

Officials of Finnish Fund Yorke Guests

Emerson Yorke, producer of the short, "Finland Fights" for the Finnish Relief Fund, was host at a dinner in the Trojan Room of the Wyndham Hotel last night to officials of the Fund and those associated in the production of the film.

Finnish Relief executives included John Jay Hopkins, vice-chairman; L. E. Thompson of RKO and Vincent G. Hart of the Fund's motion picture division; Raymond Sawtelle, treasurer, and Y. A. Paloheimo of the Finnish consulate.

Others present were: John Weber, Jack Connolly, Harry N. Blair, Alois Havrilla, Al O. Bondy, Burgi Contner, I. E. Lopert, Frank Barry, Walter A. Donnelly, Charles W. Downs, E. E. Fogelson, Harry Glickman, E. A. Hungerford, Edward Hyland, E. J. McGovern, George Mills, James P. Selvage, Al Sindlinger, Fletcher Smith, James P. Cunningham, Maurice Kann, Abel Green, George Morris and Al Finestone.

Expect 900 at ITO Banquet Saturday

Nearly 900 reservations have been received for the seventh annual banquet and ball of the New York I. T. O. A. Saturday night at the Hotel Astor.

The grand ballroom will be especially decorated in a Spanish motif, which will be carried out in the orchestras. William Brandt is arranging a large entertainment program. David Weinstock is general chairman. The affair will start at 8 P. M.

Exhibitors Protest Slot Machine Films

CHICAGO, March 18.—James Roosevelt today defended his slot-machine picture plan against the objections of a group of local exhibitor leaders, who contended the coin-machine films would constitute theatre competition.

The exhibitors contended shorts eventually would be eliminated and double and triple features would be necessary to meet the competition. They emphasized also the possibility of the showing of salacious films by unscrupulous slot machine operators, especially in taverns.

Roosevelt countered with the opinion that the machines would make the public more motion picture conscious, and that it is better to have the product supplied by reputable producers than by outsiders.

He said the machines will not be ready for 90 days. He said the deal with Mills Novelty Co. has not yet been signed. Roosevelt added that he does not plan to use film stars for the shorts. Hays Office approval will be sought on the pictures. Roosevelt left today by train for New York.

Denver Plans to Tax Slot Machine Movies

DENVER, March 19.—City licenses are planned for the new coin-in-a-slot motion picture machines. Harry Huffman, city manager for Fox, in a letter to the City council, suggested the new machines might escape their just share of municipal expense as well as be unfair competition for theatres unless they paid their just share of supervision.

The proposed bill would make the fees $200 for operators, $50 for each machine placed by an operator, and $100 on any machine owned by the location owner.

Famous Players Net For Year $904,324

TORONTO, March 19.—Famous Players Canadian Corp. has reported net profit for the year 1939 of $904,324, equal to $2.12 per common share. The net compares with profit of $974,788, or $2.32 per common share, for 1938.

Operating profit for the year ending Dec. 31, last, totaled $2,145,258, compares with $2,231,659 in 1938. Surplus carried forward amounted to $3,846,486, an increase of nearly $500,000 over the previous year. Total assets are put at $16,095,602. A first dividend of 25 cents per share for the current year has been declared, payable March 30.

Basketball March 30

The Loew-Metro basketball team will play the undefeated National Screen Service team at the Riverside Plaza Hotel March 30 to decide the motion picture championship. The Loew-Metro team, managed by Sidney Salitsky, is sponsoring a dance at the hotel in conjunction with the game.

Finnish Film on Ukraine

"The Tragedy of Carpatho-Ukraine," documentary film of the turmoil in the European "Ukraine," has been completed under the supervision of Michael J. Gann. The film will be distributed here by Kobzar Film Corp.

Frank Lloyd
and
Jack H. Skirball
announce

FRANK
LLOYD
PICTURES

INC.

Now In Preparation

THE TREE
OF LIBERTY

by **Elizabeth Page**

A COLUMBIA RELEASE

$5,000,000 Boost In Film Business

(*Continued from page* 1)

1935 to $14,000,000 in 1936 and $22,000,000 in 1937, dropped to $13,000,000.

Volume of business of the six companies for which complete information is available, individually, was as follows, the commission reported:

Columbia pictures, $19,414,000 in 1938 against $20,101,000 in 1937; Loews, $108,892,000 against $107,822,000; Paramount, $100,928,000 against $104,186,000; Twentieth Century-Fox, $58,201,000 against $56,172,000; Universal Pictures, $18,555,000 against $16,396,000; Warner Brothers, $102,206,000 against $99,864,000.

With the exception of Universal Pictures which showed a loss of $691,000, all of the six showed a profit for 1938, the smallest black figure being $2,000 for Columbia. Profits of the other four were: Loews, $9,918,000; Paramount, $2,866,000; Twentieth Century, $7,252,000 and Warners, $1,930,000.

Neither Universal nor Warners paid any dividends during the year, but Columbia paid $326,000, Loews $6,485,000, Paramount $1,186,000 and Twentieth Century $4,899,000.

The total assets of the companies as given in the report were: Columbia, $18,560,000 in 1938 against $16,516,000 in 1937; Loews, $143,840,000 against $142,544,000; Paramount, $118,224,000 against $120,219,000; Twentieth Century-Fox, $60,703,000 against $60,364,000; Universal Pictures, $12,323,000 against $11,765,000, and Warner Brothers, $174,369,000 against $177,544,000.

Fox Case Settlement Needs O.K. by Court

No settlement has been made by trustees of Fox Theatres Corp. in the case of William Fox, Milton C. Weisman, co-trustee with Kenneth Steinreich, declared yesterday in correcting reports of such a settlement, as published yesterday.

Weisman declared that an offer has been made in the William Fox bankruptcy case in New Jersey in an effort to settle the claim of creditors of William Fox, and that such a settlement has been approved by the referee in bankruptcy.

Before the settlement is consummated, Weisman said, the claim of the trustees against Fox must be disposed of. The proposed settlement includes an offer to the trustees, by the terms of which mutual releases are to be exchanged.

Also an amount of $80,000, now held in reserve, is to be released to the general creditors of Fox Theatres Corp., and all counsel fees incurred by Fox Theatres or the trustees in connection with the claim against William Fox are to be paid. The proposal will be submitted for consideration only if the Federal Court in New Jersey approves the settlement.

'Lothario' Showings

Leonard Goldstein has leased the Warner Theatre on Broadway and will reopen it April 14 for a premiere performance and subsequent two-a-day showings of "The Great Lothario." The film is a revised version of "The Medicine Man," produced by Phil Goldstein for Tiffany Pictures in 1930. Astor Pictures will distribute the film nationally.

'Contraband'

London, March 19.—"Contraband," British National release, previewed tonight, dramatizes the work of the Contraband Control. It was made in collaboration with the British Admiralty.

A splendid documentary film, it translates the Navy's wartime role into absorbing screen entertainment. Conrad Veidt is splendid as the neutral ship captain.

Flanagan

Theatre Subsidized By U.S. Is Favored

Advisability of seeking a Government subsidy for legitimate theatres or a national theatre directed and subsidized by the Government was referred to a special committee for study by the council of Actors Equity yesterday.

Martin Popper, who was counsel for the Federation of Art Unions last year, appeared before the council to urge that Equity initiate such a movement. Lloyd Gough, advocate of the national theatre, will appear before the council next week. John Lorenz and Maida Reade were appointed as members of the committee to study the idea.

Allen Hewitt accepted the post of council member made vacant when Eddie Dowling retracted his acceptance. The three council members to the nominating committee appointed yesterday were Miss Reade, Dudley Digges and Glenn Anders. The remaining six members of the committee will be selected at the next quarterly meeting.

Coast Flashes

Hollywood, March 19.—Setting of a minimum number of weeks work guaranteed on deals with free lance directors as well as setting of minimum salaries will be sought by the Screen Directors Guild when the bargaining contract is reopened for changes, it was decided today.

Having completed his one picture contract with M-G-M, W. R. Sheehan is leaving for New York in two weeks on business. The picture is "Florian."

Joe Pasternak leaves tomorrow on The Chief, spending two days in Chicago and three in Philadelphia before going to New York.

Don Ameche, suspended by Twentieth Century-Fox recently for declining to appear in a Paramount picture on a loanout, has been reinstated. He has been assigned the leading role in "Four Sons."

It is understood that RKO is negotiating with Cary Grant and Irene Dunne to appear in a one-team picture annually for the next three years.

The Screen Actors Guild last night was readmitted to membership in the Los Angeles Central Labor Council in a hectic session during which the reaffiliation application of the Moving Picture Painters Local 644 was denied.

FCC Asks Feasible FM Broadcast Plan

Washington, March 19.—Submission of a "feasible" scheme of operation by frequency modulation broadcasters was demanded today by the F. C. C. as a prerequisite to any action dispossessing television of the frequencies now assigned to that service and desired by the FM group.

Reluctance of the F. C. C. to act before the FM broadcasters proved themselves prepared to make the most efficient use of the facilities sought was voiced by Chairman James L. Fly during the cross-examination of Major Edwin L. Armstrong, who concluded two days on the stand.

Armstrong declared that the conflict in which the FM group is engaged is not with regular broadcasters, but with the large assignment of ultra-high frequencies made to television which television cannot make use of.

New Philadelphia Trust Suit Started

(*Continued from page* 1)

triple damages totaling $330,000 plus costs and attorneys' fees.

The distributor defendants in the suit are: Paramount, RKO, 20th Century-Fox, Columbia, Universal and United Artists. Damages are asked for Milgram's Rialto and Walton in the Germantown section of Philadelphia. It is charged in the complaint that zoning boundaries were altered after he took over the Walton so that he was forced behind Warner's Bromley and Grange Theatres in clearance.

Milgram also charges that Warners altered the priority between their Sedgwick and Germantown Theatres so that Milgram's Rialto was set back in obtaining product.

Still pending in U. S. District Court is a $225,000 damage suit filed Jan. 3 by the Admiral Theatre against the same defendants in a similar situation.

Special Columbia Awards in Drive

Special awards on short subjects and serial sales will be made by Columbia for its Montague 15th anniversary campaign, now under way.

The awards will be made to the bookers in the six exchanges having the highest billings on shorts and serials during the drive, which ends May 10. The bookers will work against quotas established on the basis of branch billings for the fiscal year ended June 30, 1939.

British Labor Asks Retention of Quota

London, March 19.—Spokesmen for film labor interests pleaded before the Board of Trade yesterday for retention of the present quota and the employment of British personnel exclusively in all British films.

Budd Rogers to Coast

Budd Rogers, vice-president and general manager of Alliance Films Corp. leaves for the Coast today accompanied by Maxwell Setton. They will confer with Erich Pommer and Charles Laughton, with whom Setton was associated in England. En route, Rogers will visit Alliance franchise holders.

Radio Brevities

HAVING contended for some time that amplitude modulation transmission in the ultra-high frequencies is free from static, that it is true high fidelity broadcasting, and that it is far more practicable than frequency modulation, RCA will attempt to prove it by broadcasting three hours of regular NBC programs over the audio channel of W2XBS, the television station, starting today.

The broadcasts will take place between 7 and 10 P. M. at times when the television programs are not on the air. Besides providing an argument against the Armstrong FM system, it is believed that the programs will provide an additional sales argument for television set dealers.

Personalities in the News

Frederick Mordaunt Hall, film critic for the New York Times for 12 years, and more recently drama critic for the Boston Evening Transcript, has joined the magazine division of CBS publicity department. Hall was managing director of the Fox Film Co. of London from 1919-1921. . .

Howard Keefe, formerly western advertising manager of the American Magazine, joins the Mutual sales staff in Chicago on Monday. . . . Miriam Hopkins, Adolph Menjou and Ray Milland will be heard in the Screen Guild show Sunday at 7:30 P. M. over CBS. . . .

Circuits Start Vaude Union Negotiations

(*Continued from page* 1)

tive secretary, came to the meeting with a lengthy mineographed contract already drawn. He was accompanied by representatives of the American Federation of Radio Artists and the Screen Actors Guild, which have ordered their memberships to refuse to work in the vaudeville field except where A.G.V.A. is recognized.

Earlier in the day Haddock had met with labor officials at the New York World's Fair, but no decision was reached on the demand for a closed shop at the Fair. A final decision is due Monday.

Present at the vaudeville conference were L. E. Thompson and William Howard of RKO; Irving Lesser of Roxy; Al Reid of the Fabian circuit; Robert M. Weitman and Harry Leonard of Paramount; Frank Phelps of Warner Bros.; Harold Janecky of Skouras Theatres; William Brandt of Brandt Theatres; Marvin Schenck, C. C. Moskowitz and Sidney Piermont of Loew's; James Porter, attorney for A.G.V.A.; Stephen Kent of Screen Actors Guild; Phil Irving, president of the New York local of A.G.V.A., and Haddock.

Approve Odeon Plan For Soldier Matinee

London, March 19.—Oscar Deutsch, head of the Odeon Circuit, has obtained the permission of the London County Council for a free show on Sunday afternoon, April 7, at his Leicester Square theatre for the British armed forces.

The Cinematograph Exhibitors Association had protested vigorously against Deutsch's plan for the free shows.

A Statement by The Radio Corporation of America on

TELEVISION

for the Home!

IT IS NOW POSSIBLE for the RCA to announce the extension of its plans, to provide, first, a regular television program service in the New York area; second, the offering to the public of receiving sets at moderate prices within the reach of the average American family; and third, the initial step in the construction of a television radio relay system as a means of interconnecting television transmitters for simultaneous service to and from other communities.

An improved program service has been evolved by the National Broadcasting Company, and is now available to residents in the New York area within the transmission range of the RCA transmitter atop the Empire State Building. As soon as network relays are erected, the National Broadcasting Company will provide a program service for other communities. This relay service also will be available to other broadcasting companies desiring to transmit television programs.

During the past ten months RCA Victor Television Receivers have been sold throughout a wide service area in and around New York City. The owners of those sets, some living as far as 90 miles from the transmitter, regularly see and hear NBC's television programs. They report fine, clear reception. They are enthusiastic about the technical performance of their RCA Victor Television Receivers, and the quality and entertainment value of the programs.

In order to provide every facility for the expansion of television service throughout the nation, RCA has licensed more than 45 competing manufacturers to use its inventions for the manufacture of television receiving sets. RCA also has licensed others in the industry to use its inventions in building television transmitting stations and manufacturing studio equipment.

In developing television and making possible the simultaneous transmission of sight and sound through space by radio, the Radio Corporation of America has translated many years of pioneering technical research, and the expenditure of many millions of dollars, into a public service.

In this evolution of an engineering achievement into a public service, it has been necessary for RCA to draw on its experience in all fields of radio. World-wide communication knowledge, development and manufacture of every type of radio apparatus, and the creation of a national broadcasting program service, each have contributed to the fundamental requirements of a television service for the home.

A great new industry, therefore, is in prospect which will call on the technical and financial resources of the radio industry. Television affords great promise in the creation of a new art and the utilization of every form of artistic talent, and is capable of an almost unlimited expansion of service to the public.

We urge, therefore, that the residents of the New York metropolitan area acquaint themselves with the interesting television program service now made available by the National Broadcasting Company. RCA Victor dealers throughout the area are ready to demonstrate the new combination television and radio receivers, which reflect in their price a reversal of usual merchandising methods. The prices at which these receivers are offered are based upon quantity production before volume sales have been realized.

Plans are under way for the construction of a television radio relay service between New York and Philadelphia. It is contemplated that similar connections with other cities will follow.

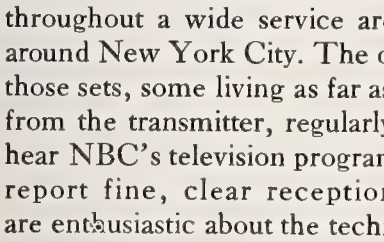
We invite the participation of the public in this effort of American private enterprise to create a new art and new industry, which should provide additional employment for the human and material resources of the nation, and contribute to greater prosperity and happiness for all of us in the years ahead.

David Sarnoff

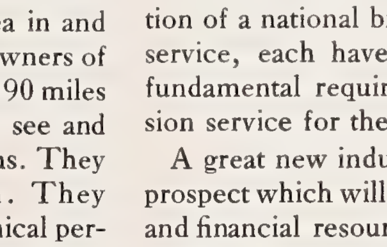
PRESIDENT

RCA RADIO CORPORATION OF AMERICA

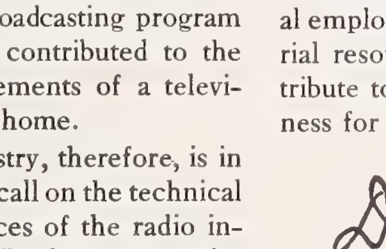
RADIO CITY • NEW YORK



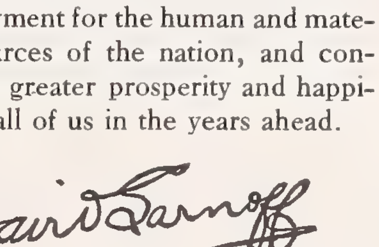
Thrilling Dramas and Plays



Exciting Boxing Bouts



History-Making Parades



Spot News Events

—and the deed is done

Not with magic...not with sleight-of-hand!...But with TRAILERS...
LOBBY DISPLAYS...ACCESSORIES...*Best Sellers in the Business!*

Using cold, hard showman's sense plus the piled-up knowledge of twenty-one years experience NATIONAL SCREEN SERVICE boils the whole advertising campaign down to short, sharp, stream-lined low-cost SELLING right in your show-window . . . your screen . . . your lobby . . . your theatre.

Result: The best theatre advertising ever devised . . . reaching more people . . . selling more tickets . . . costing less than any other advertising you can buy.

NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES INC.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 57 NEW YORK, U. S. A., THURSDAY, MARCH 21, 1940 TEN CENTS

Britain's Film Quota to Stay Another Year

Parliament Closes Today Without Revising Law

London, March 20.—The present British film quota will continue during the next quota year, beginning April 1. This was assured today, since Parliament will close tomorrow for a holiday extending until late in April.

At the start of the war last September, it was decided to continue the present quota for six months from Oct. 1, and then to take action if such were needed.

All indications point to a long postponement of any action relative to a new quota based on film costs rather than footage, as at present, or any other amending film legislation. Meanwhile, the present quota continues.

Financial circles have indicated that the Government is closely studying the plan for a Films Credit Bank, and that a similar study is under way by the Bank of England. However, observers doubt any Government announcement in the matter before the Fall session of Parliament.

Practically all American companies are ahead of their quota requirements for the current quota year. Their ability to meet those obligations in the next period, however, is dependant upon the production situation in England in ensuing months.

Ascap Bares Radio Pact Terms Today

Terms of Ascap's new contracts for radio broadcasters are scheduled to be made public today following a meeting of Ascap officials with a selected list of station operators.

The Ascap radio committee completed its report on the new contracts at a meeting yesterday and the report was turned over to the Ascap board of directors at a special session last night. The board cleared the contract for submission to broadcasters today after accepting the committee report.

The general effect of Ascap's new terms will be to lower the rates payable to the society by the smaller, independent stations, while increasing it for networks and program originating stations.

The contracts will not go into effect until next Jan. 1, but Ascap hastened

(*Continued on page 7*)

Freeman's Recipe For Settling Suit

Y. Frank Freeman, vice-president of Paramount in charge of production, during his examination yesterday in the Government's anti-trust suit, gave his own recipe for a settlement of the suit. He said:

"One way of settling this dispute is to let these fellows (referring to the Government) run a studio for about six weeks. Then they'll say: 'Give the whole industry back to the Indians.'"

Korda Plans First Two Films in U.S.

Preparatory to organizing an American production company which is scheduled to make two pictures in Hollywood during the new season, Alexander Korda yesterday named Morris Helprin as his new production assistant here.

Helprin, who for the past four years has been American publicity and advertising representative for Korda, will leave for the Coast Monday to begin his new duties in connection with the shooting of final sequences for "Thief of Bagdad."

Emanuel Silverstone, Korda's American sales representative, also will leave for the Coast on Monday to assist the producer with the organization of his new Hollywood production company. He will be engaged for about two weeks on financial and business phases of the organizing work and will return to New York thereafter.

Korda will leave for the Coast to-

(*Continued on page 4*)

Studios and Unions Will Resume Wage Parleys Next Week

Negotiations between producers and studio unions are expected to be resumed some time next week, Y. Frank Freeman, chairman of the Producers' Association labor committee, said yesterday.

Freeman said he plans to leave for the Coast on Friday but would not be immediately available for the negotiations after his arrival in Hollywood Monday.

Freeman said he had wired J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council and vice-chairman of the unions' wage conference, asking that a date for resumption of the wage negotiations be set for the middle or end of next week, in response to a wire from Buzzell suggesting tomorrow as a tentative date.

Admission Tax Yield Jumps in February

Washington, March 20.—February collections of the Federal admission tax totaled $1,852,764, compared with $1,486,534 in January and $1,503,127 in February, 1939, it was reported tonight by the Internal Revenue Bureau.

With both January and February collections at a high level, the total for the two months, $3,339,298, was $272,000 above the $3,067,261 collected in the same period last year.

For the first eight months of the fiscal year, the bureau reported, admission tax collections reached $14,059,383, an increase of $677,000 over the $13,381,836 reported a year ago.

Freeman Explains Theatre Affiliations in Trust Inquiry

Paramount Pictures first embarked on a policy of acquiring theatres because exhibitor associations had cut down its film outlets, Y. Frank Freeman, production head, declared yesterday at a pre-trial examination in the Government's New York anti-trust suit.

Later in the examination, Freeman lectured Special Assistant Attorney General Robert L. Wright on the importance of theatre affiliation with production companies, stating that "it is almost essential." Freeman continued that the "three parts of the industry are interwoven" and that theatre owners could not plan ahead in paying rentals and meeting union wages if they faced uncertainty in obtaining product.

At the close of Freeman's testimony, the Government announced that it may examine Adolph Zukor, Paramount board chairman, next week with Special Assistant Attorney General Paul Williams, who is slated to try the suit, conducting the quiz.

William F. Rodgers, M-G-M sales manager, will take the stand on Tuesday and Neil F. Agnew, vice-president of Paramount in charge of sales, will testify on Wednesday.

Freeman also spoke on the necessity

(*Continued on page 4*)

War Charity Film to Have Super Talent

Stars, Directors, Writers Give Services Free

Hollywood, March 20.—Preparations moved swiftly ahead today as studio executives, stars, directors and writers all eagerly pledged their support to the film project whose profits will be exclusively shared by charity organizations in the United States and abroad.

Production of the feature-length picture, described as starring a cavalcade of internationally-famous actors of British and French origin, will be started soon with top-flight acting and producing talent contributing their services free.

President George J. Schaefer of RKO will advance funds for financing of the project, free of charges save the interest, and the film will be distributed internationally through that company's exchanges at actual cost.

Entire profits of the venture are to go to the Community Chest, which embraces 88 member charities, the British and French Red Cross and the war charity organizations of Belgium, Finland and each nation where the film is to be exhibited.

The decision as to which nations will be included in the distribution plans rests with a board of trustees, yet unnamed, which will be headed by Dr. A. H. Giannini, campaign chairman of the Los Angeles Community Chest. The trustees will determine how the earnings shall be allocated.

Dr. Giannini, in describing the film, said:

"This will be the first great motion

(*Continued on page 4*)

New Union Formed By Rebel IA Chiefs

Hollywood, March 20.—Presaging a possible lengthy battle against certain leaders of I.A.T.S.E., several former members of the Alliance who refused a "thanksgiving amnesty" proffered them when an insurgent attempt to overthrow the regime failed last Fall, today filed in Sacramento incorporation papers for "Hollywood and Culver City Studio Technicians Local 37."

The incorporators are George H. Davis, Charles Guthrie, Charles Ross and Attorney Howard Hurd, the latter one-time business representative of Photographers Local 659.

Davis, Guthrie and Ross were rebel leaders of the since dissolved Studio Technicians Local 37 of I.A.T.S.E.

◂ Purely Personal ▸

SIDNEY R. KENT, president of 20th Century-Fox, left yesterday with Mrs. Kent for Florida. They will be gone about two weeks.

•

William F. Rodgers, Howard Dietz, George Weltner, John Hicks, Russell Holman, Harry Brandt, Ed Saunders, Max A. Cohen, Sidney Phillips, Louis Blumenthal, Leon Netter, Ted O'Shea and William Orr at Nick's Hunting Room in the Astor for lunch yesterday.

•

Charles E. McCarthy, Adolph Zukor, Barney Balaban, Leonard Goldenson, Michael Whalen, Helen Mack, Vinton Freedley, Burgess Meredith, Louis Calhern, John D. Hertz, Jr., Arthur Mayer, Milton Shubert, Jack Kirkland and Maurice Evans lunching at Sardi's yesterday.

•

Victor M. Shapiro left by air for Hollywood last night to resume his publicity campaign for Ellis E. Patterson, lieutenant governor of California, who plans to run for U. S. senator from that state. Shapiro came East to attend funeral services for his only sister.

•

Bill Saal, Republic studio representative, is in Kansas City in connection with the forthcoming opening of "Dark Command" at Lawrence, Kas. He flew here for a conference with H. J. Yates early this week.

•

Loren L. Ryder, head of the Paramount studio sound department, will come to New York with a group of Hollywood sound technicians to attend the annual convention of the S.M.P.E. here, April 5.

•

Fred Ostreicher, publicity director of Loew's Broad and Ohio, Columbus, will conduct a class in motion picture appreciation at the Adult School of Ohio State University.

•

Bernie Kreisler, Universal's Washington manager, returned to Washington by plane yesterday after three weeks at the studio as part of his prize for winning a sales drive.

•

Jack Sichelman, assistant to Herman Wobber, 20th Century-Fox general sales manager, returns today from Chicago where he made plans for the annual sales convention April 12.

•

Lou Phillips, manager in New Haven for the Modern Theatre Equipment Co., has left for a three-week Florida vacation.

•

Thornton Hee, Disney director generally known as Tee Hee, is due today from the Coast for a few weeks' vacation.

•

Linda Darnell, 20th Century-Fox player, is due from the Coast Monday for her first visit in the East.

•

Truman H. Talley, chief of Movietone News, is vacationing in Miami.

•

M. D. Clofine, editor of *News of the Day,* is in Miami.

Want to See 'Wind'? Poll Asks Patrons

Calais, Me., March 20.—The State Theatre here is polling patrons on whether they wish to see "Gone With the Wind" at increased prices of 75 cents to $1.10. The vote is by printed ballot. If the majority votes "Yes," the theatre will book the film for two or three days. Calais is on the United States-Canada border and residents on both sides of the line are voting.

RKO Foreign Sales Drive Is Launched

The RKO foreign department has launched the Phil Reisman Treasure Chest Contest, based on the amount of billings, among 27 contestants in countries throughout the world. The contest will run 15 weeks, with prizes to be awarded for the best weekly performance and for the full period.

Principals in charge of the various territories competing in the contest honoring the general manager of the foreign department, are: Ralph Hanbury, United Kingdom; Ralph R. Doyle, Australia and New Zealand; Reginald Armour, Belgium, Bohemia-Moravia, Egypt, France, Holland, Portugal, Rumania, Spain, Sweden, Switzerland; Leon Britton, China, Dutch East Indies, India, Japan, Philippines, Straits Settlements; Nat Liebeskind, Argentina, Brazil, Chile, Peru; Gus Schaefer, Cuba, Mexico, Panama, Puerto Rico, Trinidad.

West Orange to Get 'Edison' Premiere

M-G-M will hold the world premiere of "Edison, the Man" at West Orange, N. J., home of the family of Thomas A. Edison and the Edison laboratories. The film is being edited and date of the premiere is indefinite, although it is planned for mid-May.

Frank Whitbeck, M-G-M studio advertising manager, has left for the Coast after four days here supervising the production of a one-reel short which will be released in conjunction with "Edison, the Man."

Herman Hoffman, assistant to Whitbeck, is shooting the short at West Orange. The subject will be released before the feature as an introductory film on Edison's work. Its title will be "The Wizard of Menlo Park." Hoffman leaves for the Coast late this week.

Nick Loses Request For St. Louis Retrial

St. Louis, March 20.—Circuit Judge Oakley has overruled a request for a new trial in the case in which he permanently enjoined John P. Nick, former boss of the Motion Picture Operators' Union, and his chief aid, Clyde Weston, from interfering in affairs of the union in the future. Defense counsel has indicated the case will be appealed to a higher court.

Ross Promotes Jolley

B. E. Jolley, research production manager for Ross Federal Research Corp., has been appointed director of research planning and production. John Holzapfel succeeds him as research production head.

AGVA in Midwest Vaudeville Drive

Having successfully initiated negotiations for recognition in New York, the American Guild of Variety Artists will start a drive this week in Chicago and Pittsburgh.

In Pittsburgh, the Central Trades and Labor Council has issued a call to all performers to organize a local of A.G.V.A. in that city. Hoyt S. Haddock, A.G.V.A. executive secretary, leaves today by plane for Chicago where he will confer with local officials there and address a membership meeting After conferences about Midwest conditions, he will proceed to Pittsburgh.

Major circuits here will separate the problems of vaudeville circuits and motion picture presentation houses for the purposes of discussions with A.G.V.A. It was decided yesterday to have two committees, one representing vaudeville and the other presentation houses. Each committee will meet with A.G.V.A. separately, and there is some talk of having a third committee to discuss one-night stands.

Neufeld Takes Over Producers Pictures

Hollywood, March 20.—Sigmund Neufeld Productions, Inc., has been organized here to take over the production obligations of the defunct Producers Pictures Corp. The company will start shooting March 27 on a schedule of 15 pictures, of which eight will be westerns.

Harry Rathner of New York, formerly Eastern representative of Ben Judell of Producers Pictures, will head the sales organization, the corporate title of which is now being discussed. Bob Steele's contract to head the "Sagebrush Family" series, started by Judell, has been taken over by the Neufeld unit. Tim McCoy will appear in four westerns. Three of seven melodramas are: "Sons of the Finest," "Wolf Cry" and "Skip Tracer."

Exploitation Chiefs Picked for 'Cyclops'

Eastern and Western exploitation divisions have been set up by Paramount for special work on "Dr. Cyclops" engagements throughout the country.

Alec Moss, home office exploitation manager, will direct the Eastern division. Working under him will be A. Maxwell Joice, with headquarters at Pittsburgh; Bud Getschall, Atlanta; Thomas Jefferson, New York, and two addition exploiteers to be selected later.

Cliff Lewis, studio publicity and advertising manager, will direct the Western division. On his staff will be Ben Hill, Dallas; Carl Kreuger, Chicago; William Lansburg, Kansas City, and an additional man for the Pacific Coast to be named later.

John Golding Dies

St. John, N. B., March 20.—John N. Golding, assistant manager of the Capitol here for the past 20 years, died after a short illness. His only brother, W. H. Golding, was manager of the Capitol. A son is W. R. Golding, manager of the Community, West St. John, and a daughter is the wife of Reginald G. March, manager of a St. John film exchange.

Mexico
Film Notes

By JAMES LOCKHART

Mexico City, March 20.—Gros monthly income of all local film house amounts to approximately $216,50 according to the report of the Municipal Treasurer.

There are 71 active film thea the city, which has a populatio 1,500,000. The average top admissio price is 16 cents. The average wag of the working population of the cit is about $45 per month.

Total average monthly expenditur on entertainment in the city is abou $350,000. Bull fights, second to th screen in popularity, draw about $37,500 per month, and legitimate theatres approximately $33,500.

Rene Cardona, Mexican producer plans a series of 12 features this year

Station XEW is now the mos powerful in Mexico City by virtue o an increase in power to 200,000 watt resulting from the installation of a antenna tower 250 feet high. It starte in 1930 with 5,000 watts.

N. Y. Senate Passes Recording Measur

Albany, March 20.—The bill o Senator C. D. Perry to outlaw unauthorized recording of broadcasts b artists, orchestras and others withou their permission has passed the N. Y State Senate.

Assemblyman Russell Wright's bil amending the Public Works Law t regulate billboard advertising, ha been advanced to third reading fo final action before adjournment of th state legislature next week.

Units Back C. E. A. Drive on Rental

London, March 20.—Various loca branches of the Cinematograph Exhibitors Association are expected t authorize the national organization t prosecute a vigorous campaign for reduced film rentals from distributors.

The C.E.A. committee charged with the development of the fight on rentals met today to plan a course of action upon which it will report to the meeting of the general council next month.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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THEY CAN'T TIE THIS!

ERROL FLYNN and
MIRIAM HOPKINS
'VIRGINIA CITY"
ANDOLPH SCOTT
'MPHREY BOGART
K McHUGH • ALAN HALE
N "BIG BOY" WILLIAMS
ed by MICHAEL CURTIZ
Screen Play by Robert Buckner
Music by Max Steiner
Bros.-First National Picture

This Week
'VIRGINIA CITY'
AND *Next Week*,

ANN SHERIDAN
"IT ALL CAME TRUE"
with JEFFREY LYNN
HUMPHREY BOGART
ZASU PITTS • UNA O'CONNOR
JESSIE BUSLEY • JOHN LITEL
Directed by LEWIS SEILER
Screen Play by Michael Fessier
and Lawrence Kimble
A Warner Bros. First National Picture

Here's delivery! No company can match either—and *WARNERS* have both!

JACK L. WARNER
In Charge of Production
HAL B. WALLIS
Executive Producer

SHOWMANSHIP!

Ann Sheridan comes thru—but how—in the new story sensation of 1940!

On Coast for Health, Not Business—Weber

HOLLYWOOD, March 20.—Joseph Weber, president of the American Federation of Musicians, now visiting Hollywood, said today that his trip here is only for the purpose of recuperating from his recent serious illness.

Weber said that he would not carry on negotiations with the majors for returning musicians to theatres while here.

Weber said he will soon go to Palm Springs for 10 days and then return to Hollywood. Accompanying him were James Petrillo, Chicago A.F.M. head, and Petrillo's daughter, also on a pleasure trip.

Weber visited Pat Casey, producers' labor contact officer, today but said business was not disscussed.

Korda Plans First Two Films in U.S.

(*Continued from page* 1)

morrow. Plans for the first of the two productions to be made in Hollywood for United Artists new season release will be decided by him there and arrangements will be made for a studio location.

Korda also plans to produce two additional pictures in England during the new season.

Ampa Gets Slate Today

Ampa nominating committee yesterday selected the official slate of candidates for office which will be voted on April 4. The committee, of which Rutgers Neilson of RKO is chairman, will report the slate at today's luncheon meeting at Dempsey's Restaurant.

Freeman Explains Theatre Affiliations in Trust Inquiry

(*Continued from page* 1)

of production companies having affiliation with theatres. "Every picture produced today is a gamble," he said. "The money spent on a film does not warrant its success. It is therefore essential that a production company have, at least, the assurance of a sympathetic theatre group."

Paramount, then called Famous Players-Lasky, formed Southern Enterprises in 1919 in conjunction with S. A. Lynch Enterprises, to overcome the difficulties presented by exhibitor associations which were determined not to buy Paramount product, Freeman said.

These associations were determined to build up a unit of distribution, production and exhibition which would control the industry, the film executive stated. To combat this threat, Paramount entered the exhibition field, he concluded.

Paramount does not regard money spent on a film, proposed exploitation or possibility of borrowing stars in determining whether to loan out a star, Freeman said earlier in the examination. The only factors to be considered in deciding the question of a loan were the type of story and part to be played, the director and what other players would be in the film, he declared.

Wright questioned the witness on a large number of deals in which Paramount exercises joint control with other companies of theatres. The Government atttorney constantly consulted the confidential answers of Paramount to interrogatories in drawing out details of these transactions.

The company has a "definite rule" which forbids the theatre department from supplying the distribution branch with information on licensing contracts made by the theatres with other companies. "We observe the theatre department's desire not to reveal the terms of its deals," he stated.

Ascap Bill Hearing Monday at Omaha

Herman Finkelstein of Schwartz & Frohlich, Ascap counsel. will leave for Omaha today to represent the music licensing society at the Federal court hearing there Monday on the Nebraska petition for a new trial to test the constitutionality of the state's anti-Ascap law.

A three-judge Federal court, several months ago, ruled that the Nebraska anti-Ascap law was unconstitutional and permanently enjoined the state from enforcing it.

Thursday at 12:45 p. m.

AMPA

presents

GILBERT SELDES

Director of Television Programs for CBS, speaks on

"Can Television Replace The Horse?"

Assisted by:

WORTHINGTON MINER

Formerly director for the Theater Guild, now with CBS Television

GIOVANNI

World's greatest pickpocket . . . and one of the greater entertainers of all time!

DANNY KAYE

Sensational comic of "Straw Hat Revue" and currently at La Martinique

A GREAT CAST FOR A GREAT MEETING!

Jack Dempsey's Restaurant
8th Avenue and 50th St.

Members: $1.00
Non-members: $1.25

Two Weeks at State For First Run Film

Loew's State today starts a first run of United Artists' "The House Across the Bay" and a stage show headed by George Jessel which will be held two weeks. This is unprecedented, as the Broadway house changes shows weekly. It plays second run films as a rule.

The strong Easter show was set to parallel "Gone With the Wind" engagements at Loew subsequent runs here. The film opens today at the Valencia in Jamaica and the Paradise in the Bronx for two weeks, and March 28 at 11 Loew theatres in Greater New York. Four additional engagements will start April 4. Advance sale of tickets for the night shows at the neighborhood theatres totals about $185,000, according to the circuit.

Jimmie Fidler, newspaper columnist and radio commentator on films, wound up a week's engagement with Hollywood players in support at the State last night. The gross was $28,500, against the house average of $25,000. The film attraction was a second run of "Remember the Night." Fidler and his company next play Loew's Capitol in Washington and the Palace, Cleveland, making six weeks of personal appearance in all. Balaban & Katz cancelled the tentatively scheduled Fidler show which was to go into the Chicago Theatre.

Paramount Opening 'Eater' in Georgia

Paramount will hold the world premiere of "The Biscuit Eater" at the Albany Theatre, Albany, Ga., on April 11. City executives have voted to finance a Chamber of Commerce goodwill tour into Florida on behalf of the film. Billy Lee, nine-year-old star of the film, will make personal appearances throughout Georgia. Y. Frank Freeman, Jr., and Jack Dailey, from the studio, will assist Adolph C. Gortatowsky, Georgia exhibitor, with plans for the premiere.

War Charity Film to Have Super Talent

(*Continued from page* 1)

picture the world has ever seen to be made as super entertainment and whose profits will be given entirely and completely to charity."

The picture will have a sto[illegible], not yet prepared, and will be entirely fictional without any propaganda significance, it was explained.

Stars who have pledged their cooperation are Brian Aherne, Charles Boyer, Madeleine Carroll, Ronald Colman, Errol Flynn, Cary Grant, Sir Cedric Hardwicke, Charles Laughton, Vivien Leigh, Herbert Marshall, Ray Milland, Anna Neagle and Laurence Olivier.

Directors and producers who are volunteering their services are Alfred Hitchcock, Frank Lloyd, Victor Saville, Robert Stevenson and Herbert Wilcox.

A number of writers have promised their services gratis.

The film will be produced at the RKO studio with only union labor personnel receiving compensation.

William Moorin, Hollywood representative of Odhams Press, British publishing house, has established headquarters at RKO to handle the publicity for the enterprise and will function independently of the studio publicity department.

Plan 'Westerner's' Premiere in Texas

Plans for a world premiere of Samuel Goldwyn's "The Westerner" in a Texas city will be discussed in Ft. Worth today by Lynn Farnol, United Artists advertising and publicity director, with R. J. O'Donnell of Interstate Circuit and Amon Carter, Ft. Worth publisher.

Farnol left for Texas by plane last night and is scheduled to be back here tomorrow. Prior to today's conference, there has been no decision made on details of the picture's premiere.

'Passage' Is Omaha Highlight at $7,200

OMAHA, Macrh 20.—"Northwest Passage," single featured, pulled $7,200 at the Omaha Theatre for the best of a fair week. Adverse weather and competition from Bill Robinson's "Hot Mikado" did not help.

Estimated takings for the week ending March 13-14:

"Dr. Ehrlich's Magic Bullet" (W.B.)
"Little Orvie" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,100. (Average, $4,000)
"Northwest Passage" (M-G-M)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,200. (Average, $6,000)
"Remember the Night" (Para.)
"Young As You Feel" (20th-Fox)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $7,200. (Average, $7,200)

Preview Metro Short

Shorts department of M-G-M is planning an elaborate preview of "The Flag Speaks," two-reel subject in color, with Raymond Kelly, national commander of the American Legion, and representatives of other veterans' and patriotic organizations present. The preview may be held shortly in the Betsy Ross Flag Hall in Philadelphia.

A DRAMA OF UNDYING LOVE

DARK COMMAND

RAOUL WALSH—DIRECTOR

with

CLAIRE TREVOR · JOHN WAYNE · WALTER PIDGEON

ROY ROGERS • GEORGE HAYES • PORTER HALL

MARJORIE MAIN • RAYMOND WALBURN

A *Republic* PICTURE

World Premiere

April 4th

GRANADA THEATRE • DICKINSON THEATRE

LAWRENCE, KANSAS

MOTION PICTURE DAILY'S BOOKING CHART

[*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 23		Northwest Passage (G-D) *Tracy-Young*	Murder on the Yukon (G-O) *James Newill*	Knights of the Range (G-O) *Jean Parker*		Pinocchio (G)	They Came By Night (G-D) *Will Fyffe*		Framed (D) *Constance Moore* *Johnnie Downs*	
Mar. 1	Blondie on a Budget (G-C) *Arthur Lake* *Penny Singleton*	Strange Cargo (A-D) *Clark Gable* *Joan Crawford*	Rhythm of Rio Grande (G-O) Torpedo Raider (D)	Seventeen (G-D) *Field-Cooper*		Little Orvie (G-D) *Ernest Truex*	Chan in Panama (G-D) *Sidney Toler*	House Across the Bay (A-D) *Joan Bennett* *George Raft*	Double Alibi (G-D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (G-D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (A-D) *Bela Lugosi*	Showdown (G-O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (G-D) *Gargan-Ford*			Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (G-D) *Mickey Rooney*	Midnight Limited (D) *John King*	Women Without Names (G-D) *Drew-Paige*	Forgotten Girls (G-D) *Donald Woods*	Millionaire Playboy (G-C) *Joe Penner*	Grapes of Wrath (A-D) *Fonda-Darwell*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (G-C) *Priscilla Lane*
Mar. 22	Too Many Husbands (A-C) *Arthur-MacMurray*			Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (O) *Gene Autry*	Primrose Path (A-D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (A-D) *Aherne-Heywood*	It's a Date (D) *Deanna Durbin*	Virginia City (O) *Flynn-Hopkins*
Mar. 29		Florian (D) *Robert Young*	Son of the Navy (C) *Jean Parker*	Farmer's Daughter (C) *Raye-Ruggles*	Ghost Valley Raider (O) *Donald Barry*		Free, Blonde and 21 (A-D) *Bari-Davis*	Over the Moon (D) *Merle Oberon*		
Apr. 5	Blazing Six Shooters (O) *Starrett*	And One Was Beautiful (D) *Muir-Cummings*	Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*	Dark Command (D) *Trevor-Wayne*	Courageous Dr. Christian (D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	One Million B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	It All Came True (D) *Sheridan-Lynn*
Apr. 12	Man With Nine Lives (D) *Boris Karloff*	Dr. Kildare's Strange Case (D) *Lew Ayres* *L. Barrymore*	Covered Wagon Trails (O)	Dr. Cyclops (G-D) *Albert Dekker* *Janice Logan*			Viva Cisco Kid (G-O) *Romero*	Rebecca (D) *Olivier* *Joan Fontaine*	Black Friday (G-D) House of Seven Gables (D)	Gambling on the High Sea (D) *Wayne Morris*
Apr. 19	I Married Adventure (D) *Mrs. Johnson*	Two Girls on Broadway (C) *Turner-Blondell*	Terror of the Sky (D) Colorado Trails (O)	French Without Tears (C) *Drew-Milland*		Beyond Tomorrow (D) *Binnie Barnes*	Johnny Apollo (D) *Tyrone Power*	Saps at Sea (C) *Laurel-Hardy*	Ski Patrol (D) *Philip Dorn*	'Till We Meet Again (D) *Oberon-Brent*
Apr. 26	Doctor Takes a Wife *Ray Milland*	Forty Little Mothers (C) *Eddie Cantor*	Missing People (D) *Will Fyffe*	The Biscuit Eater (D) *Billy Lee* *C. Hickman*		Curtain Call (D) *Helen Vinson*	Shooting High (G-O) *Gene Autry*		If I Had My Way (M) *Bing Crosby*	An Angel from Texas (C) *Albert-R. Lane*
May 3	Block "K" Rides Tonight (O) *Bill Elliott*			Buck Benny Rides Again (C) *Jack Benny*		My Favorite Wife (D) *Dunne-Grant*	So This Is London (C) *George Sanders*		Enemy Agent (D) *Cromwell-Vinson*	
May 10				Opened by Mistake (C) *Charlie Ruggles* *Janice Logan*		Tom Brown's Schooldays (D) *Bartholomew* *Hardwicke*	I Was An Adventuress (D) *Zorina-Greene*		Black Diamond (O) *Arlen-Devine*	

Book these PARAMOUNT SHORTS when you book your features!

MARCH 15
Headliner
GEORGE OLSEN AND HIS MUSIC

MARCH 15
Paragraphic
NOT SO DUMB

MARCH 15
Color Classic Cartoon
ANTS IN THE PLANTS

MARCH 22
Grantland Rice Sportlight
TWO OF A KIND

100% BOX OFFICE tested

Radio Brevities

TELEVISION'S first regular series of commercially sponsored programs — "Esso Reporter" — with United Press news and Acme photos, started last night, and did not appear to be an immediate threat either to newsreels or newspapers.

Still photos used to supplement news summaries provided by a commentator failed to reproduce with much clarity or detail. Photo captions were difficult to read and the announcer referred constantly to his script rather than speak directly to his audience.

The selection of photos, although varied in subject matter, could stand considerable editorial improvement.

From the commercial standpoint, the program proved that the actual exhibit of the product can be of immeasurable value, impressing it on the audience's consciousness. High point of the program was the effective use of a map to describe the expected path of the Queen Mary, when she leaves New York, and the musical scoring.

Use of a greater number of pictures for each news event would probably provide the animation which this type of show needs most.

"Esso Reporter" will be televised each Wednesday night.

Easter Parade on Air

Mutual, in accordance with its annual custom, will hire a tallyho Sunday for a trip down Fifth Avenue. Dave Driscoll, director of special events, will describe the Easter Parade from a perch atop the coach and will interview his guests en route.

Included in his entourage will be Ethel Merman and Bert Lahr, of "DuBarry Was a Lady"; Monty Woolley, of "The Man Who Came to Dinner"; Peggy LeBoutillier, Tony Williams and Lucius Beebe, social lights; Vyvyan Donner, Fox Movietone News fashion commentator; and Frank Carroll, sportsman.

Personalities in the News

Ronald Liss, juvenile actor in Bess Johnson's "Hilltop House," has founded a "Radio Boys Club," with membership limited to youngsters heard on daily network serials. A vote decided against feminine members. . . .

Bill Slater, football sports commentator for WOR for three years, has assumed a new role—emcee on a children's show. He will be heard over WOR Saturdays at 9:30 A.M. in "Junior Spotlight." . . . Guy Lombardo, heard over CBS on Mondays at 10 P.M., will bring his orchestra back to New York from Hollywood on April 15. . . .

Henry Lee Smith, who has been guessing the native State of members of the studio audience by the way they pronounce key words over WQXR, will start a weekly series called "Where Are You From?" over WOR, beginning Wednesday, April 3, at 8:30 P.M.

Smith, a lecturer at Columbia University, has been successful in his identifications about 75 per cent of the time, according to WOR, and occasionally can name the section of the city where a speaker was reared.

FM to Replace Present Broadcasting System in 10 Years, F.C.C. Advised

Washington, March 20.—Frequency modulation broadcasting will not be ready to supplant the present system of broadcasting for 10 years, John Shepard, III, president of FM Broadcasters, Inc., testified before the F.C.C. today. The shift will be gradual, and will not inconvenience either the industry or the public, he declared.

Shepard testified that the FM group wants assigned to it all the frequencies between 41,000 and 44,000 k.c., parts of which are now assigned to educational radio and television. He stated that FM would not disturb the frequencies assigned to educational radio. The 26,000 k.c. band now used by FM would be abandoned as unsatisfactory, he said.

NBC's Short Wave Rate Card Revised

Expansion of the NBC campaign for sponsors of programs over its two short wave stations, WRCA and WNBI, was announced yesterday by L. P. Yandell, executive in charge of short wave sales, at a Broadcasters' Bull Session luncheon.

A new rate card which will allow sponsors to contract for a minimum of 13 weeks, instead of 52 weeks heretofore required, and for a minimum of five minutes per program, instead of 15 previously, will be ready for release within the next few weeks, Yandell said.

The new rate card, the first ever to be prepared for short wave stations, provides for unusually high discounts and rebates in order to encourage purchases of time for longer periods, Yandell said. While 13 week shows will be permitted, the policy will be to grant high premiums to longer shows.

Three languages will be used for programs beamed to Latin America—Spanish, Portuguese and English. Portuguese programs will cost less because of the smaller number of such language groups as compared with those understanding Spanish or English, the rate card will provide.

Preliminary proofs of the rate card combined for both short wave stations, were distributed at the luncheon. Spanish and English programs will cost $300 per hour for Class A time while Portuguese programs will cost $180. Discounts range up to 20 per cent for $300 weekly billings, and rebates range up to 20 per cent for 52 week contracts.

Canada Radio Set Sales at New High

MONTREAL, March 20.—Because of the war, the radio industry in Canada is enjoying a boom. Official reports show that the production of radio sets in Canada last year hit a new all-time high record. People are demanding better and more powerful sets.

The Dominion Bureau of Statistics reports that 348,507 sets were produced in Canada last year, 246,707 of them made in the last six months. The year's total exceeds by more than 50,000 sets the former record year of 1931. The total value at list prices of all the radio sets sold in Canada last year amounted to $20,005,519.

Factor Dinner Friday

CHICAGO, March 20.—A testimonial dinner for Max Factor, Great States booker who has resigned to join Pioneer Theatre Co. of Minneapolis, will be held at the Congress Hotel, Friday. The Chicago Bookers Club is sponsoring the affair.

Ascap Bares Radio Pact Terms Today

(Continued from page 1)

their submission to the broadcasters due to the fact that stock purchase agreements and licensing commitments of broadcasters with Broadcast Music, Inc., will become due April 1.

Broadcast Music, Inc., was organized by the broadcasters to develop a music catalogue independent of Ascap because of past dissatisfaction with Ascap contracts and apprehension over the terms of the new ones.

Columbia Reported In Quota Film Deal

LONDON, March 20.—It is understood here that Columbia has almost concluded negotiations with Two Cities Films Co., producers of the film, "French Without Tears," to supply quota product for Columbia here.

Albany Bill Asks Booth Restrictions

ALBAKY, March 20.—N. Y. State Senator William Condon of Westchester County has introduced a bill calling for sweeping amendments to the General Business Law with relation to plans and specifications for the construction of booths for projecting motion pictures.

The bill provides that the projection room shall be easy of access and shall not open directly into the auditorium or balcony unless a vestibule with fire resistive doors is provided. At least two means of egress from every projection room containing more than one projector also is specified. Access by trap doors is prohibited. Further, all wires in the room shall be in conduit and the conduit system thoroughly grounded. Every projection room shall be provided with not less than two approved fire extinguishers of not less than one-quart size. Each room must be equipped with a type of enclosed film rewinder or separate fire resistive rewinder room. The act is not to apply to cities which have local laws providing for fireproof booths.

Ohio Tax Case Due For Action in June

COLUMBUS, March 20.—The mandamus suit of John V. Bostwick, a taxpayer, against the Ohio Tax Commission, seeking to enforce collection of sales tax on film rentals, will not be docketed before June at least, when the Franklin County Court of Appeals, now conducting sessions in other sections of Ohio, reconvenes here.

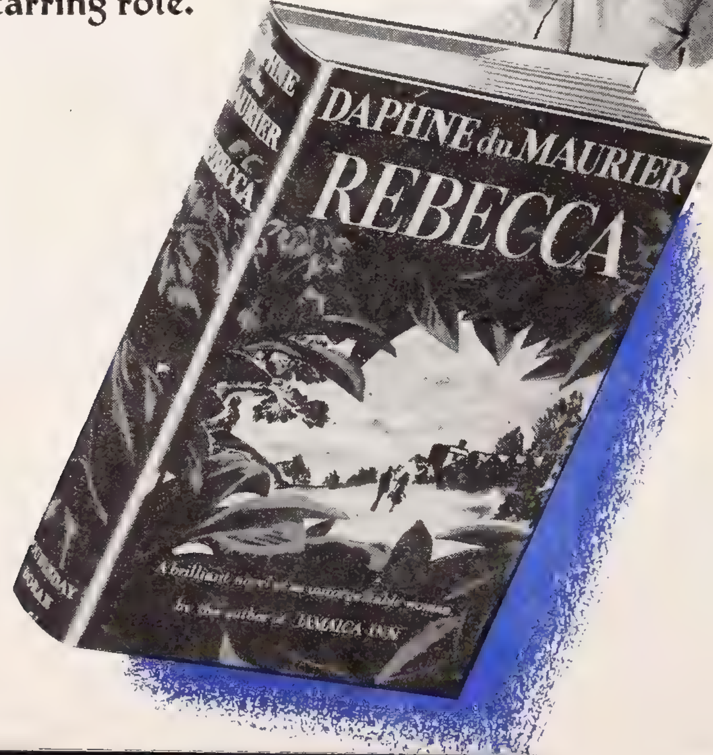
"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN
"The law 'lows five years imprisonment for gun-runnin', Cantrell. That's a powerful slice out of any man's life."
A Republic PICTURE

WORLD PREMIERE, Radio City Music Hall, Thursday, March 28th . . .

Selznick International presents

Rebecca

The newest triumphant attraction from DAVID O. SELZNICK, this year's winner of the coveted Irving Thalberg Award and ten Academy Awards. Cast with typical Selznick adroitness to give you LAURENCE OLIVIER, sensational star of "Wuthering Heights"...and JOAN FONTAINE in her first starring role.



starring

LAURENCE OLIVIER

JOAN FONTAINE

with

GEORGE SANDERS • JUDITH ANDERSON

Directed by ALFRED HITCHCOCK

From the best selling novel
by DAPHNE DU MAURIER

Released thru UNITED ARTISTS

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 58 NEW YORK, U. S. A., FRIDAY, MARCH 22, 1940 TEN CENTS

Broadcasters Assail Ascap's New Contracts

100% Boost in Payments Draws Miller Attack

Disclosure yesterday of Ascap's new contract terms for radio broadcasters drew a sharp response from Neville Miller, president of National Association of Broadcasters, who declared that payments proposed would mean a 100 per cent increase.

"Ascap has this time overreached itself and has made demands which the broadcasting industry must resist as a matter of life and death," Miller asserted.

Miller said that radio is now paying Ascap $5,000,000 a year and that the present demands would strengthen Broadcast Music, Inc., which has 285 station members at the present time. BMI was organized to originate music sources independent of Ascap.

Concessions to Small Stations

Although making concessions to small stations grossing $50,000 or less per annum, the Ascap committee outlined a plan which would add a new charge of 7½ per cent of all revenue received from sponsors to be paid by the networks. At present there is a flat charge of 5 per cent on commercial programs for all stations with no charge upon the networks.

Under the new plan, stations grossing $50,000 or less would pay 3 per cent of their gross; "an intermediate group," not defined specifically, would pay 4 per cent; large stations would

(*Continued on page* 8)

'U' Leaders Buy All Of Cochrane's Stock

The entire Universal stock holdings of R. H. Cochrane, former president of the company, have been purchased by a group of 10 Universal executives, it was learned yesterday.

The purchasing group is known to include J. Cheever Cowdin, Universal board chairman; Nate J. Blumberg, president; Charles D. Prutzman, vice-president and general counsel; Matthew J. Fox, vice-president; Cliff Work, vice-president and studio head; W. A. Scully, vice-president and distribution head, and Joseph H. Seidelman, vice-president and foreign department head.

Others reported to be participating

(*Continued on page* 2)

U.S. Agency for Regulation Of Film Industry Proposed

End of Government's Film Service Seen as House Committee Denies Cash

Washington, March 21.—Termination of the film activities of the U. S. Government is indicated in the refusal of the House Appropriations Committee to continue funds for the film service operated by the Federal Security Agency.

The House committee denied the requested funds in reporting the agency's supply bill for the fiscal year beginning July 1. The radio service of the agency likewise was refused funds.

The Film Service had asked $106,000 for the coming fiscal year and the radio service $40,000.

For the current year the film service received $168,500 from the Public Works Agency, WPA and Farm Security Administration and an additional $162,500 under a Works Projects Administration Allocation, with which it completed "Fight For Life" and will complete "Ecce Homo" before the end of the year.

"Fight For Life," produced for the U. S. Film Service by Pare Lorentz, is currently playing on Broadway at regular admissions and in competition with regular run films.

Ticket Taxes Disclose Huge Jump in Broadway Grosses

February Earnings 70% Above January; Credit Given to Hit Shows

Strong pictures and hit legitimate shows in the Broadway zone during February resulted in a pronounced rise in amusement grosses.

Figures on Government admission taxes indicate an increase of about 70 per cent in amusement grosses on Broadway over January and about 30 per cent over February of last year.

Federal admission taxes collected during February in the third New York district (Broadway zone) totaled $706,814, compared with $192,-

(*Continued on page* 2)

Smash State Gross For 'House,' Jessel

"House Across the Bay," Walter Wanger-United Artists film, got off to a strong start yesterday, the opening day of its scheduled two-week run at Loew's State on Broadway, with an estimated $5,200 gross. The first run is unusual, since the house usually changes weekly, with second run films being used.

The stage show is headed by George Jessel and Kitty Carlisle. With former Mayor Jimmie Walker acting as

(*Continued on page* 8)

752 New Theatres Built in U. S. in '39

WASHINGTON, March 21.—There were approximately 67,129 motion picture theatres in 98 countries throughout the world on Jan. 1, 1940, according to a world market survey prepared by Nathan D. Golden, chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce.

The 1939 total compares with a total of 92,816 on Jan. 1, 1939. The large decrease, Golden points out, is the result of the elimination in the 1939 figures of nearly 30,000 socalled theatres in Russia. Actually, these were noth-

(*Continued on page* 4)

RKO Claims Likely To Reach $1,500,000

The RKO trustee's final report on the company's reorganization will be filed in U. S. District court on Monday, together with the final applications for allowances of Irving Trust Co., trustee, and its counsel for services during the seven-year reorganization.

Monday is the last day for filing the applications for allowances. It is estimated that the total of all applications will be in the neighborhood of $2,000,-

(*Continued on page* 4)

Idea Offered in Trust Suit Settlement Talks; Plan Similar to I. C. C.

Establishment of a Federal regulating body to oversee all phases of film industry operations has been advanced by Washington sources as a possible means of effecting an out-of-court settlement of the Government's New York anti-trust suit, it was learned yesterday.

The proposed Federal agency would be similar in authority and purpose to the Interstate Commerce Commission in its regulation of American railroads and the Securities and Exchange Commission in its supervision of the investment field.

Divorcement Big Obstacle

What chance the proposal has of being accepted by the Department of Justice and the industry is not known. It is claimed for the proposal, however, that it would provide a solution for the Government's demand for outright divorcement of exhibition from production and distribution by permitting defendant companies to retain their theatre affiliations and operate them subject to the Federal commission's regulations.

Theatre divorcement has been the stumbling block throughout the current discussions of an out-of-court settlement of the anti-trust suit. Both the Government and the defendant companies have evidenced little or no

(*Continued on page* 2)

$1,500,000 for First Paramount Quarter

Paramount earnings for the first quarter of the current year, ending March 31, are expected to be better than the same period last year, and it is estimated by Wall Street sources that the earnings will reach about $1,500,000.

Yesterday, the company reported estimated earnings after interest and all charges for the fourth quarter ended Dec. 30, 1939, at $1,030,000.

The earnings do not include $245,000 representing dividends received by the corporation and its consolidated subsidiaries from non-consolidated subsidiaries.

Estimated earnings for the year ended Dec. 30, 1939, are $3,870,000, including $1,110,000, the share of un-

(*Continued on page* 8)

◂ Purely Personal ▸

MAURICE SILVERSTONE, United Artists chief executive, will arrive from the Coast today following a month of conferences with company producers on new season's production plans.

•

E. C. MILLS, chairman of the Ascap administrative committee, went to Trenton yesterday in connection with the pending New Jersey anti-Ascap bill. Mills will go to Washington on Monday for a business visit of indefinite duration.

•

NATE BLUMBERG, ARTHUR KELLY, ALAN FREEDMAN, GEORGE WEEKS, JOHN BOLES and JOSEPH SEIDELMAN lunching at Bob Goldstein's Tavern yetserday.

•

LYNN FARNOL, United Artists advertising and publicity director, will return from Ft. Worth by plane today.

•

ROY BRUDER, manager of the Chicago Theatre, and MRS. BRUDER are on a vacation trip to Cuba and Florida. They will be gone three weeks.

•

G. RALPH BRANTON, business manager of the Tri-States Theatres, Des Moines, and MRS. BRANTON, have returned from a three-weeks vacation in California.

•

JACK DAVIS, head of Monseigneur News Theatres, London, who has been visiting here, will sail for England in mid-April, returning here a month later.

•

LOU GINSBERG, United Artists salesman in New Haven, will be married to RITA BAUM of Bridgeport, Conn., at the St. Moritz Hotel here April 21.

•

D. C. KENNEDY, manager of the Des Moines M-G-M exchange, with MRS. KENNEDY, is spending a two-weeks vacation in Mexico.

•

A-MIKE VOGEL, chairman and editor of Managers' Round Table of *Motion Picture Herald,* celebrates a birthday tomorrow.

•

MORT BLUMENSTOCK, Warners Eastern advertising and publicity director, returns Monday from the studio.

•

JAMES R. GRAINGER, Republic president, is due back Monday from Boston.

•

JOSEPH COLLARD, M-G-M auditor for Canada, observes a birthday Sunday.

•

MRS. Y. FRANK FREEMAN and ZASU PITTS were visitors at the Paramount home office yesterday.

•

HORTENSE SCHORR of Columbia will will return from a Florida vacation on Monday.

•

ALBERT DEANE of Paramount will return from Florida on Monday.

•

ALEXANDER KORDA will leave for the Coast by train today.

•

SAM FORGOSTON of the M-G-M advertising department is the father of an eight-pound boy, born to MRS. FORGOSTON at the Jewish Memorial Hospital Wednesday night.

•

SUZANNE READE, daughter of WALTER READE, and EDWIN GAGE, married on Wednesday, left yesterday on a honeymoon trip to Nassau.

•

ARTHUR SCHWARTZ, LEON LEONIDOFF, PHIL BAKER, JOSEPH LEE, SIDNEY PHILLIPS, ADOLPH ZUKOR, BARNEY BALABAN, LOUIS CALHERN and LEE SHUBERT at Sardi's for lunch yesterday.

February Grosses Jump on Broadway

(*Continued from page 1*)

233 in January and $514,748 in February, 1939. All types of admissions over 40 cents are included.

Taxes levied on box-office ticket sales rose from $154,644 in January to $591,829 last month. This is $145,000 above the $446,555 reported for February last year.

While the month had only 29 days, Lincoln's and Washington's Birthdays swelled the takes at both film and legitimate theatres.

Among the big-grossing pictures playing on Broadway during the month were "Gone With the Wind" at the Astor and Capitol; "Grapes of Wrath" at the Rivoli; "The Fighting 69th" at the Strand; "The Shop Around the Corner" at the Radio City Music Hall; "Of Mice and Men" at the Roxy, and "Pinocchio" at the Center. The Astor, Capitol, Rivoli and Strand played the same attractions during the entire month.

Legitimate productions on Broadway reached a peak for the season during February, with 21 shows grossing an estimated $900,000 for the month.

Leading shows were "The Man Who Came to Dinner," "Life With Father," "DuBarry Was a Lady," "Hellzapoppin'," "Too Many Girls," "Two for the Show," "The Male Animal," "The Philadelphia Story," "Skylark" and "Margin for Error." There were fewer shows than in February last year but the aggregate grosses were higher.

All other entertainment categories participated in the improvement. Receipts from free or reduced rate admissions increased from $2,256 to $13,201; tickets sold by brokers from $12,660 to $21,138; tickets sold by proprietors in excess of the established price from $307 to $327; permanent use or lease of boxes and seats from $9 to $36, and admissions to roof gardens and cabarets from $22,356 to $80,282.

U. S. Agency Urged To Govern Industry

(*Continued from page 1*)

disposition to compromise on that subject.

Responsible industry executives show little enthusiasm for the Federal regulation suggestion and, according to reports, Department of Justice officials are not entirely satisfied with it as a "cure-all," either.

The settlement discussions are likely to be continued despite this disposition toward present suggestions. However, failing in a compromise on or alternative for theatre divorcement, the impression is gaining in the industry that the anti-trust suit trial will begin May 1 as scheduled.

Screen War Gossip Pictures in London

London, March 21. — The first three Ministry of Information films, designed as warnings against the spread of war gossip, were privately previewed here today. All of them are excellent thriller entertainment, pointing the moral convincingly. General distribution to all theatres early in April will be handled by Metro.

'U' Leaders Buy All Of Cochrane's Stock

(*Continued from page 1*)

in the purchase are: Peyton Gibson, secretary and treasurer; Samuel I. Machnovich, financial officer, and Milton Feld, producer.

The purchase price, number of shares acquired and the manner of distribution among the purchasers were not disclosed. However, at the time of Cochrane's withdrawal from Universal in December, 1937, it was reported that his holdings amounted to almost 20 per cent of the common shares outstanding, having an estimated market value of $450,000 at the time.

Universal's common has greatly appreciated in value since then, but it is probable that Cochrane's holdings have been reduced in the interim.

Griffith Bros. Beats State Lottery Action

NEBRASKA CITY, NEB., March 21.—Judge T. S. Morton this week dismissed the state's lottery action against Griffith Bros. Amusement Co., holding that the circuit's weekly goodwill cash award was not a violation of the state lottery laws.

Judge Morton held that a Nebraska lottery must have three things: prize, chance and consideration. He chose to regard only money spent as consideration, which he did not find an ingredient necessary to winning the award. The goodwill plan awarded a prize whether the winner was present or absent and had or had not purchased an admission ticket.

The ruling is regarded as more lenient than an earlier one on Bank Night. In that case the effort expended in registration of a contestant's name was held to be a consideration.

Associates Dance Set

Annual dinner dance of the Motion Picture Associates will be held at the Hotel Astor Thanksgiving eve, Nov. 27. The date was set early to permit a drive for the sale of tickets and advertising in the annual journal. The organization has decided to hold regular business meetings on the fourth Friday of each month except during June, July and August.

Mangham Reports Stock

WASHINGTON, March 21.—John W. Mangham of Atlanta, elected to the directorate of Monogram Pictures on Feb. 10, held 100 shares of Monogram common stock direct and 3,500 shares of common and 8,304 options for common through Monogram Southern Exchanges, Inc., when he joined the board, it was reported tonight by the Securities and Exchange Commission.

Newsreel Parade

Most significant of the various events covered in the new issues are the *Queen Mary* and *Mauretania* in New York Harbor preparing to sail on war duty. The reels and their contents follow:

MOVIETONE NEWS, No. 56—Fir[illegible] New Jersey. *Mauretania* and *Queen M[illegible]y* set to leave. Demolish Washington apartments for Government building. Daffodils in bloom. Stunt riders perform in California. Truman Talley on Maginot Line. Rangers vs. Bruins hockey game. Golden Glove bouts. Ski meet in Seattle. Lew Lehr.

NEWS OF THE DAY, No. 254—Fire blacks out New Jersey. *Queen Mary* painted. Jap marines train on skis. Dynamite Washington apartments. Fashions. Daffodils in bloom. Ski championships. Hell divers in California show. Golden Glove finals.

PARAMOUNT NEWS, No. 59—Clipper evades British censor at Bermuda. Mail removed from *Manhattan*. Athletes ignore loss of legs. Preparation at World's Fair. Jonquils bloom in Washington. Pull planes over Canadian border. British liners prepare for war duty. Dynamite old apartments in Washington.

RKO PATHE NEWS, No. 71—*Queen Mary* and *Mauretania* prepared for sea. Fire in New Jersey. Scholastic Press Association convention in New York. Tear down Washington apartments. Stunt man carnival in California. New York vs. Boston hockey game. Golden Glove bouts.

UNIVERSAL NEWSREEL, No. 860—Planes towed over Canadian border. Reds riot on Fifth Ave. Demolish Washington apartments. Tar company fire in New Jersey. New sub chaser for Navy. "Virginia City" premiere. Playground for adults. Daffodils in bloom. Golden Gloves. Ski jumps. Rangers vs. Bruins hockey game.

Yates and Grainger To Kansas Premiere

Herbert J. Yates, chairman of the board of Republic Pictures, and James R. Grainger, president, are scheduled to attend the twin premiere of "Dark Command" at the Granada and Dickinson theatres in Lawrence, Kans., on the evening of April 4.

The visitors will include a studio delegation and franchise holders and branch managers from Chicago, St. Louis, Cleveland, Cincinnati, Kansas City, Little Rock, Dallas, Oklahoma City, New Orleans and Atlanta.

Following the premiere, the film will start an indefinite run at the Dickinson Theatre. General release is April 15.

William Saal, studio representative, is in Lawrence supervising arrangements, with the Lawrence Board of Trade and city officials cooperating.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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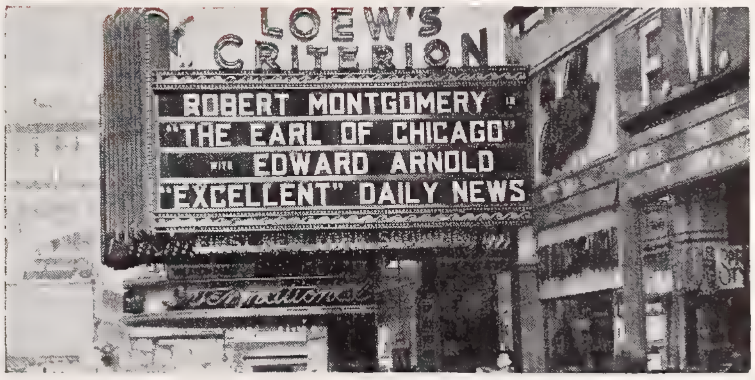
THE 4 BIG HOLD-OVERS ON BROADWAY!

"**Northwest Passage**" – *3rd week – Capitol*

"**Young Tom Edison**" – *2nd week – Music Hall*



"**Earl of Chicago**" – *2nd week – Criterion*

and in its 14th week, the Selznick-International Production, "GWTW" bigger than ever after capturing 10 out of 14 Academy Awards

752 Theatres Built in Year; Total is 17,003

(*Continued from page 1*)

ing more than meeting halls for workers where pictures were shown. Only such houses in Russia as charge admission are included in the latest survey.

Trade paper and industry estimates indicate that on Jan. 1, 1940, there were 17,003 theatres, all wired for sound, open and in operation in the United States. The figure compares with 16,251 on Jan. 1, 1939, the survey shows, a gain of 752.

36,000 Theatres in Europe

In 1939, there were 65,006 throughout the world wired for sound, as compared with 66,362 in 1938, a decrease of 1,356.

On Jan. 1, 1940, a total of 35,936 theatres were in operation in Europe with 34,694 wired for sound, as compared with 63,043, of which 37,578 were wired on Jan. 1, 1939. This decrease is due to the elimination of the Russian halls.

Latin American countries show an increase in new theatres and those wired for sound during 1939. On Jan. 1, 1940, there were 5,403 theatres operating, of which 4,884 were wired for sound, as compared with 5,239 theatres, of which 4,571 were wired, in 1938.

Much Building in Far East

The Far East also shows an upward trend in theatre construction. As of Jan. 1, 1940, 6,568 theatres were in operation, of which 6,220 theatres were wired, as against 6,201 theatres, of which 5,796 were wired in 1938.

Canadian expansion of theatres, while slight, records 1,251 theatres all of which were wired, on Jan. 1, 1940, as compared with 1,224 for the corresponding date of 1939.

In the Near East and Africa theatre expansion has kept pace with other world markets. On Jan. 1, 1940, 968 theatres were in operation, with 954 wired for sound, as against 881 theatres, of which 856 were wired, on Jan. 1, 1939.

Attendance Jumps 5,000,000

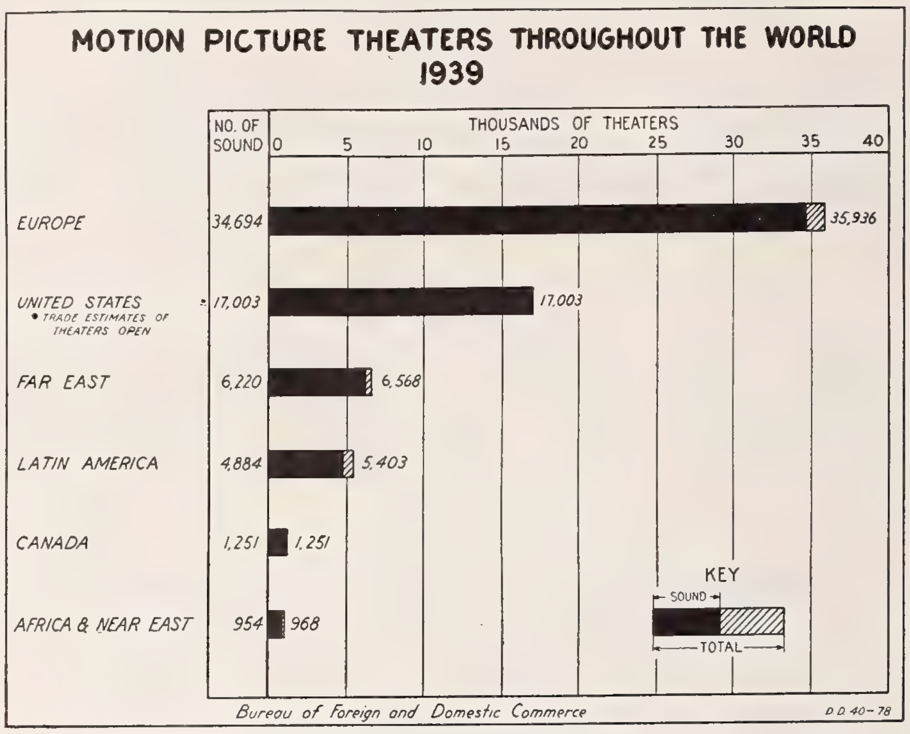
World theatre attendance increased by about 5,000,000 during 1939, Golden reported yesterday. Approximate weekly attendance advanced from 230,000,000 in 1938 to 235,000,000 last year. American films occupied 65 per cent of the world's screen time, about the same as during 1938.

Attendance in the United States for the third successive year was estimated at approximately 85,000,000 weekly. Total box-office gross in theatres of the United States last year was estimated at $1,000,000,000, about the same as 1938. Film rentals were estimated at about $250,000,000 and American production costs at $165,000,000.

Stockholders' Suit

Trial of stockholders' suit against Consolidated Film Industries, Republic Pictures, CBS, Cajo Co. and Setay Co. began yesterday before N. Y. Supreme Court Justice Carroll G. Walter. The suit attacks transactions involving the purchase of an interest in Republic by Consolidated and sale of American Record Corp. to CBS.

Theatres at a Glance



The above chart, prepared by the Motion Picture Division of the Bureau of Foreign and Domestic Commerce, indicates in graph form the number of theatres in the world, divided into areas, with the number of silent houses indicated by the shaded portions of the bars.

Vineland Trust Case Postponed to April 8

PHILADELPHIA, March 21.—The final hearing in the Vineland, N. J., Landis Theatre anti-trust suit against Warner Theatres and the major distributors, scheduled to be heard Monday before Judge William H. Kirkpatrick in Federal Court here has been postponed to April 8.

That one of the defending attorneys is tied up in United States Supreme Court litigation is given as the reason for the postponement, but reports are current that attempts are being made to effect an out-of-court settlement. The case, which was returned to the lower courts after appeal on a preliminary injunction granted the Landis by Judge Kirkpatrick, is expected to last at least four weeks.

Death Takes Gwinn, Prominent on Coast

SEATTLE, Wash., March 21.—Cecil Gwinn, 43, prominent exhibitor at Centralia, Chehalis and Montesano, died in a hospital here today following an operation. He was formerly with Fox West circuit and was active in the Pacific Northwest exhibitor group, including a period as director of the Washington State Theatre Owners Association.

Segal's Suit Upheld

Application to dismiss the suit of Harry Segal against Standard Pictures Distributing Corp. and George Leganas was denied yesterday by N. Y. Supreme Court Justice Hofstadter. Plaintiff asks for $32,400, claiming the breach of employment contract to act as sales manager for three years at 5 per cent of the company's gross.

'Wind' in 1,095 Cities

"Gone With the Wind" engagements set by M-G-M to date total 1,224 in 1,095 cities.

Goldwyn Bonus Suit Gets Answer by U.A.

United Artists charged Samuel Goldwyn, Inc., with arbitrarily refusing to agree to modifications of the "Silverstone Bonus Plan" in an answer to Goldwyn's action for $54,559, plus interest, filed yesterday in U.S. District Court.

Although these modifications had been ratified at a U.A. stockholders' meeting in January, 1939, and amended contracts had been signed by all other producers, Goldwyn refused to give his consent, the answer states. Provisions, as modified by stockholders, call for better terms to producers of pictures made and distributed in foreign countries, U.A. contends.

The defendant asserts that it offered the sum sued for to Goldwyn, despite his stand, "in order to avoid controversy" and that it was rejected.

Application to dismiss Goldwyn's suit to upset his contract is now pending in District Court.

Rights to 1,000 Films Educational's Assets

Referee John E. Joyce was told yesterday at a creditors' meeting of Educational Films Corp. that the sole asset of that company was ownership of 16 mm. rights to 1,000 films in the possession of the trustee of Grand National Pictures. GN, which owns the 35 mm. rights to these films, expects to receive $15,000 for their use in the next few years, it was stated.

William S. Brown, 261 Broadway, N. Y., was appointed trustee of Educational by Referee Joyce after attempts to elect Harry G. Fromberg, trustee of GN, and James A. Davidson, trustee of Educational Pictures, failed.

Educational Pictures, parent company, will file a claim for $97,985 against Educational Films for a loan extended, Davidson announced.

RKO Claims Of 1½ Million Due Monday

(*Continued from page 1*)

000, although it is not known whether Atlas Corp., proponent of the RKO reorganization plan, will request [illegible]pensation in cash or in stock of the new RKO company. Under the plan, it has the right to elect the latter if it prefers.

The Atlas petition and that of its counsel, Simpson, Thacher & Bartlett, also will be filed on Monday, as will the petitions of the leading creditors', debenture holders' and stockholders' committees and their counsel.

Bondy Hearing Monday

A hearing on the petitions will be set for mid-April by Federal Judge Bondy on Monday. The allowances which the court will ultimately approve are expected to be substantially less than the total of the applications.

RKO's operating results for 1939 resulted in net loss of approximately $50,000. Cash in excess of $1,000,000 was raised through the sale of 500,000 shares of new common stock underwritten by Atlas Corp. at $3 per share, and much of this sum has been earmarked for the reorganization costs.

Irving Trust and its counsel, Donovan, Leisure, Newton & Lumbard, next week will vacate the office quarters on the tenth floor of the RKO Bldg. which they have occupied since the beginning of the RKO reorganization in 1933.

New Assistant Treasurer

Andrew C. Christensen, trustee's representative at RKO, who is a vice-president of Irving Trust, will return to the bank's downtown headquarters. Garrett VanWagner, assistant to Christensen, will begin his new duties as an assistant treasurer of RKO, a post to which he was elected recently.

O. C. Doering, Jr., of counsel to the trustee, will continue as a member of the Donovan law firm and will be associated with the firm's work as defense counsel for RKO in the Government's anti-trust suits involving the company. Ambrose Cram, Doering's assistant, also will continue with the Donovan firm.

In addition to its application for allowances for reorganizaiton services, the Donovan firm also will file an application on Monday for compensation for its services as defense counsel for the trustee in the Government suit from the time of its filing in July, 1938, up to the present time.

File Allowance Claims

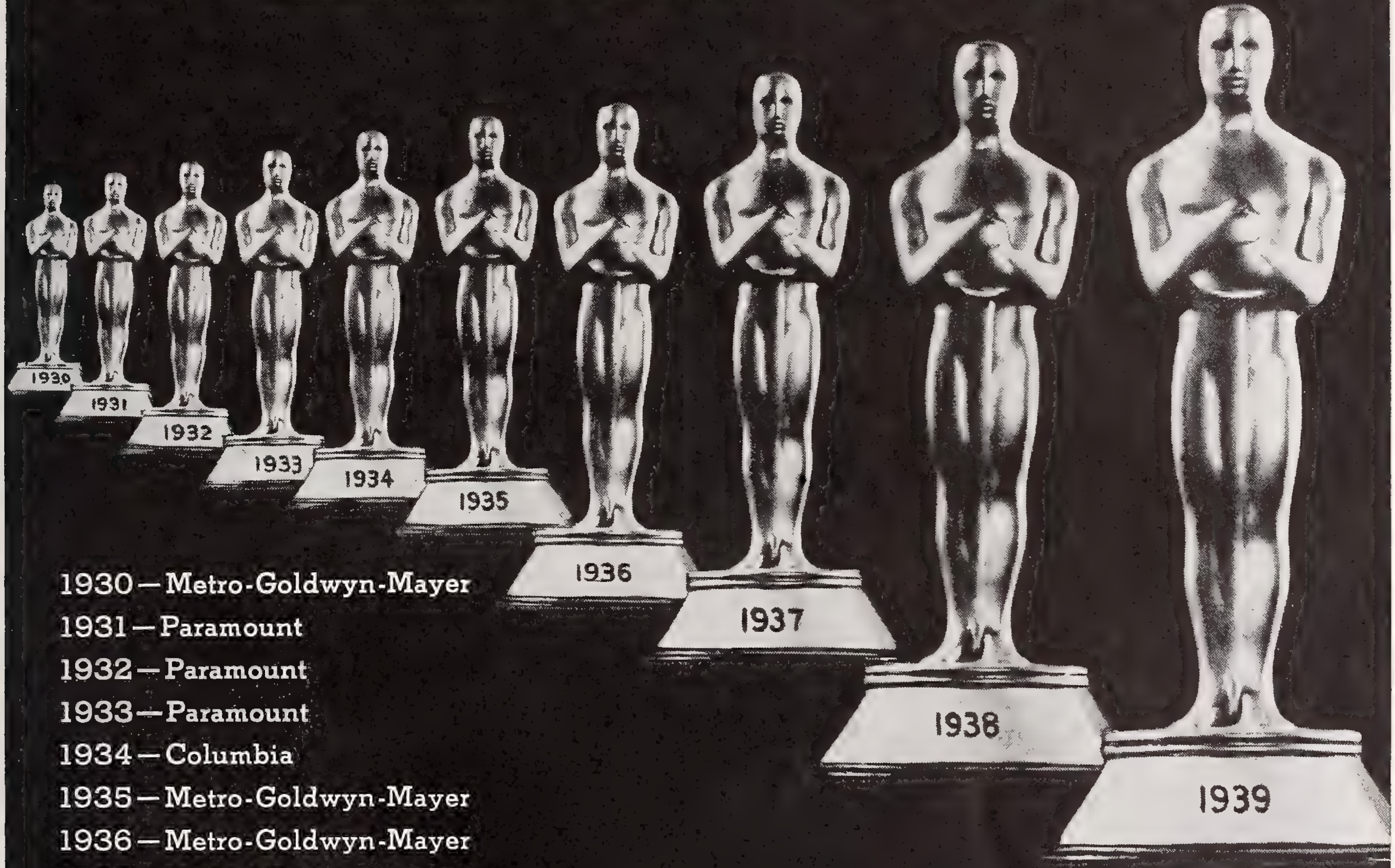
Applications for a total of $45,798 final allowances were filed yesterday in U. S. District Court by William V. Hodges and John R. Moroney, as a committee for unsecured creditors of RKO, and White & Case, their attorneys.

Hodges and Moroney ask for $5,000 apiece and $272 disbursements while White & Case seek $35,000 and $526 disbursements. According to the petition, the committee represented general allowed claims of $4,107,460 in a total of $8,000,000 aside from Rockefeller Center, Inc.

The application states that the committee was active in formulating the original plan of reorganization and the plan finally approved.

10 in a row

...for Western Electric recorded Sound!



1930—Metro-Goldwyn-Mayer
1931—Paramount
1932—Paramount
1933—Paramount
1934—Columbia
1935—Metro-Goldwyn-Mayer
1936—Metro-Goldwyn-Mayer
1937—United Artists
1938—United Artists
1939—Universal

It is significant that throughout its 10 year history, the sound recording award of the Academy of Motion Picture Arts and Sciences has been made every year to ERPI licensees using Western Electric equipment. Congratulations to the individuals and Sound Departments who have won the awards!

Electrical Research Products Inc.
195 BROADWAY, NEW YORK, N. Y.
SUBSIDIARY OF
Western Electric Company

'Cargo' Draws High $18,700, Philadelphia

PHILADELPHIA, March 21. — Although weather conditions were favorable, the Lenten observance kept film grosses down generally. The best business was done at the Stanley, $18,700 with "Strange Cargo."

"Dr. Ehrlich's Magic Bullet" (W. B.)
ALDINE—(1,700) (32c-42c-57c-68c) 2nd week, 5 days. Gross: $8,200. (Average, 7 days, $8,000)

"Broadway Melody of 1940" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run, 2nd week. Gross: $3,800. (Average, $2,600)

"Abe Lincoln in Illinois" (RKO)
BOYD—(2,400) (32c-42c-57c-68c) 6 days. Gross: $12,000. (Average, $13,000)

"Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 7 days, 8th week. Gross: $26,000. (Average, $14,000)

"The Grapes of Wrath" (20th-Fox)
FOX—(3,000) (32c-42c-57c-68c) 7 days, 2nd week. Gross: $12,200. (Average, $13,000)

"Seventeen" (Para.)
KARLTON—(1,000) (32c-42c-57c-68c) 7 days. Gross: $3,800. (Average, $3,000)

"Northwest Passage" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $5,900. (Average, $3,500)

"Strange Cargo" (M-G-M)
STANLEY—(3,700) (32c-42c-57c-68c) 7 days. Gross: $18,700. (Average, $14,000)

"The Night of Nights" (Para.)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $4,200. (Average, $4,500)

"His Girl Friday" (Col.)
CARMAN—(2,500) (26c-32c-42c) subsequent run, 7 days, 2nd week, with vaudeville bill including Liazeed Troupe; Charles Carrer; Mann, Dupree and Lee; Nash and Evans; and Five Herzogs. Gross: $5,500. (Average, $5,200)

"Honeymoon Deferred" (Univ.)
FAY'S — (2,000) (15c-25c-32c-40c-57c) 7 days, with vaudeville bill including Jean Mode; Joan Wade; Charles Timlin and Co.; Three Murtah Sisters; Ross and Page; and Starnes and Anavan. Gross: $7,000. (Average, $7,200)

'Cargo' Hits $15,000 To Pace Pittsburgh

PITTSBURGH, March 21. — Loew's Penn drew $15,000 with "Strange Cargo." "Gone With the Wind" was still good for $25,000 at the Warner in the seventh week. "The Grapes of Wrath" took $9,000 in the second week at the Alvin.

Estimated takings for the week ending March 14:

"Grapes of Wrath" (20th-Fox)
ALVIN—(1,750) (25c-35c-50c) 7 days, 2nd week. Gross: $9,000. (Average, $7,500)

"Our Neighbors, the Carters" (Para)
"The Big Guy" (Univ.)
FULTON—(1,700) (25c-40c) 6 days. Gross: $2,400. (Average, 7 days, $5,000)

"Strange Cargo" (M-G-M)
LOEW'S PENN—(3,400) (25c-35c-50c) 7 days. Gross: $15,000. (Average, $13,500)

"Northwest Passage" (M-G-M)
RITZ—(800) (25c-35c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $4,000)

"The House of Seven Gables" (Univ.)
"Black Friday" (Univ.)
SENATOR — (1,750) (25c-40c) 7 days. Gross $3,200. (Average, $3,500)

"Castle on the Hudson" (W. B.)
STANLEY — (3,600) (25c-40c-60c). On stage: Dixie Dunbar, Sibyl Bowan, Johnny Perkins, Lowe, Hio & Stanley, Maurice Spitalny. 7 days. Gross: $12,500. (Average, $17,000)

"Gone With the Wind" (M-G-M)
WARNER — (2,000) (75c-$1.10-$1.65) 7 days, 7th week. Gross: $25,000. (Average, $5,000)

Asks Game Ruling Delay

SPRINGFIELD, O., March 21.—Troy Amusement Co., operating the Mayflower, at Troy, has asked the Second District Court of Apeals to defer action on its recent ruling that Bank Night is in violation of the Ohio lottery law, and to continue the temporary injunction to prevent Andrew Attenweiler, plaintiff, from seizing Bank Night equipment.

New York Review

"The Courageous Dr. Christian"

(RKO)

Jean Hersholt, whose crusade as a small town doctor in "Meet Dr. Christian," the first of a series by RKO this year, brought the city councilmen around to erecting a town hospital, follows up his victory with a second project—municipal housing for the poor.

Principally, the story centers around Hersholt, who once again gives a lovable and kindly portrayal of a community physician who has devoted his life to the people he knows and treats as patients and friends. Judy Price and Robert Baldwin again are cast as the romantic young lovers, while Tom Neal also gives an effective performance as a calloused and world-weary member of a squatter colony.

Hersholt, who has most of the colony as his patients, sees the need of aiding those unfortunates by providing them with proper housing. He fails to convince the town council of the potential health menace created by their unsanitary living quarters until the squatters move into the town from the outskirts and an epidemic breaks out. Hersholt checks the epidemic and wins support for his project.

Williams Stephens produced and Bernard Vorhaus directed. The original screenplay was written by Ring Lardner, Jr., and Ian McLellan Hunter.

Running time, 67 minutes. "G."* EDWARD GREIF

"G" denotes general classification.

'Black Friday' and 'Gables' Detroit Hit

DETROIT, March 21. — Lenten restrictions did not affect attendance at larger downtown theatres. "Broadway Melody of 1940" and "A Child Is Born" drew $16,000 at the Michigan, while "Black Friday" and "The House of the Seven Gables" took $6,500 at the Adams.

Estimated takings for the week ending March 14:

"Black Friday" (Univ.)
"The House of Seven Gables" (Univ.)
ADAMS—(1,600) (15c-50c) 7 days. Gross: Gross: $6,500. (Average, $5,000)

"Balalaika" (M-G-M)
"Allegheny Uprising" (RKO)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"The Grapes of Wrath" (20th-Fox)
FOX—(5,000) (25c-55c) 7 days, 2nd week. Gross: $15,000. (Average, $15,000)

"Broadway Melody of 1940" (M-G-M)
"A Child Is Born" (W. B.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $16,000. (Average, $12,000)

"I Take This Woman" (M-G-M)
"The Return of Dr. X" (W. B.)
PALMS—(2,000) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (75c-$1.10-$1.50) 7th week, 7 days. Gross: $33,000.

"Gone With the Wind" (M-G-M)
WILSON — (1,912) (75c-$1.10-$1.50) 7th week, 7 days. Gross: $25,000.

Whiteman's Band Indianapolis High

INDIANAPOLIS, March 21. — Paul Whiteman's band, which with "Slightly Honorable," gave the Lyric $11,000, and "Broadway Melody of 1940," good for $8,000 at Loew's, were the only shows above average in a quiet week.

"Gone With the Wind" (M-G-M)
APOLLO—(1,100) (75c-$1.10) 7 days. Return engagement. Gross: $4,000. (Average, $2,500)

"Grapes of Wrath" (20th-Fox)
CIRCLE—(2,800) (25c-40c) 6 days, 2nd week. Gross: $3,000. (Average, $6,000)

"Abe Lincoln in Illinois" (RKO)
"Millionaire Playboy" (RKO)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $4,800. (Average, $5,000)

"Broadway Melody of 1940" (M-G-M)
"Outside the Three-Mile Limit" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $8,000. (Average, $7,000)

"Slightly Honorable" (U. A.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Paul Whiteman's band and show. Gross: $11,000. (Average, $8,000)

'Chickadee' Takes $8,400, Providence

PROVIDENCE, March 21.—The RKO-Albee's double, "My Little Chickadee" and "The Witness Vanishes," garnered $8,400. "Strange Cargo" and "The Ghost Comes Home" drew a good $13,800 at Loew's State.

"My Little Chickadee" (Univ.)
"The Witness Vanishes" (Univ.)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $8,400. (Average, $6,000)

"Strange Cargo" (M-G-M)
"The Ghost Comes Home" (M-G-M)
LOEW'S STATE—(3,232) (25c-35c-50c) 7 days. Gross: $13,800. (Average, $11,000)

"Castle on the Hudson" (W. B.)
"Granny Get Your Gun" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $5,500. (Average, $7,000)

"Dr. Cyclops" (Para.)
"Five Little Peppers at Home" (Col.)
STRAND—(2,200) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $6,000)

"The Grapes of Wrath" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days, 2nd week. Stage show with Terry Howard and Jack Talley: The Six Virginians; Raymond Pike; Captain Gregory and Bullets Black; and Ted Mack. Gross: $5,300. (Average, $6,500)

"Gone With the Wind" (M-G-M)
CARLTON—(1,526) (75c-$1.10) 7 days. Return engagement. Gross: $3,800. (Average, $3,500)

"Remember the Night" (Para.) (3 days)
"British Intelligence" (W. B.) (3 days)
"The Fighting 69th" (W. B.) (4 days)
"A Child Is Born" (W. B.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run Gross: $1,300. (Average, $1,700)

Vancouver Stations Off to End Crowding

VANCOUVER, B. C., March 21.—Two Vancouver radio stations have voluntarily gone off the air to relieve overcrowding in Canada's western province. In addition to the Canadian Broadcasting station, CBR, there were five commercial stations here. CKCD, backed by the *Daily Province*, newspaper, and CKFC, backed by the Vancouver *Sun*, suspended operations recently.

Stations CJOR and CKWX will be allowed to step up their power to 1,000 watts as a result, while CKMO remains as before, with 100 watts. CBR operates at 5,000 watts. The question of improved radio service for British Columbia, particularly in northern sections where reception is poor is still being studied.

Winter Storm Jolts Grosses In Twin Cities

MINNEAPOLIS, March 21. — The heaviest snowfall of the winter hit the Twin Cities last week, practically tied up traffic for two days and b[illegible] h[illegible] box-office receipts down materia[illegible]y.

Best business in Minneapolis was recorded at the State where "Grapes of Wrath" drew $11,500. In St. Paul the same picture was the leader with $6,200 at the Paramount.

Estimated takings for the week ending March 14:

Minneapolis:

"Saint's Double Trouble" (RKO)
"Oh Johnny" (Univ.)
ASTER—(900) (15c-25c) 7 days, dual bill Gross: $2,200. (Average, $1,800)

"Gone With the Wind" (M-G-M)
CENTURY—(1,600) (75c-$1.10) 6th and last week. Gross: $6,600. (Average, $4,000)

"A Chump at Oxford" (U. A.)
ESQUIRE—(290) (25c-40c) 7 days. Gross: $1,100. (Average, $1,000)

"Slightly Honorable" (U. A.)
GOPHER—(990) (25c) 7 days. Gross: $2,900. (Average, $2,500)

"He Married His Wife" (20th-Fox)
ORPHEUM—(2,900) (35c-55c) 7 days with Martha Raye stage show. Gross: $8,700. (Average without stage show, $4,400)

"Grapes of Wrath" (20th-Fox)
STATE—(2,300) (25c-40c) 8 days. Gross: $11,500. (Average, $4,400)

"We Are Not Alone" (W. B.)
WORLD—(400) (25c-55c) 5 days, third week. Gross: $900. (Average, $1,600)

St. Paul:

"Grapes of Wrath" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $6,200. (Average, $4,500)

"Remember the Night" (Para.)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $3,200. (Average, $3,200)

"Slightly Honorable" (U. A.)
RIVIERA—(1,000) (25c) 7 days. Gross: $1,700. (Average, $1,800)

"Cisco Kid and the Lady" (20th-Fox)
"Oh Johnny" (Univ.)
TOWER—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,600)

"Green Hell" (Univ.)
WORLD—(400) (25c-55c) 7 days. Gross: $1,100. (Average, $1,000)

'Cargo' at $15,000 Cleveland Winner

CLEVELAND, March 21. — "Strange Cargo" had the best comparative gross here at $15,000 at Loew's State. "Gone With the Wind," in its seventh week at the Stillman, drew $22,000; and "Rulers of the Sea" took $3,000 at Loew's Park.

Estimated takings for the week ending March 14:

"Black Friday" (Univ.)
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $2,000. (Average, $4,000)

"The Grapes of Wrath" (20th-Fox)
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $10,500. (Average, $11,000)

"My Little Chickadee" (Univ.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Prof. Quiz and show on stage. Gross: $12,500. (Average, $14,000)

"Rulers of the Sea" (Para.)
LOEW'S PARK—(3,000) (25c-35c) 7 days. Gross: $3,000. (Average, $2,500)

"Strange Cargo" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $15,000. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (75c-$1.13) 7 days, 7th week. Gross: $22,000.

Denver Houses Use Duals

DENVER, March 21.—The Denver and Aladdin, Fox houses, have both gone to double bills. Both are first run. This leaves the Denham first run, with Paramount product, the only single bill house in town.

Short Subject Reviews

"International Revels"

(*Universal*)

A convincing background lends an air of authenticity to this musical two-reeler in which is presented an array of dancers and singers in an "International Cafe." Ten acts representing various lands include a Cossack knife dance, an Indian folk dance, an African voodoo number, vocals and other specialties. Running time, 17 mins.

"Tom Thumb, Jr."

(*Universal*)

The cartoon character here provides few laughs as he and a grasshopper friend search for food in an old lady's house. Enemies are found in a goose, a mouse and a few other typical cartoon characters with the usual pursuit. Running time, 7 mins.

"Stranger Than Fiction, No. 73"

(*Universal*)

This latest in the "Stranger Than Fiction" series concerns itself with five unusual items: a stone mansion in miniature; a school conducted for only one pupil; pictures carved in wood; a man who has a horse for a pet and finally a Texas photographer who resembles Abraham Lincoln. Nine minutes.

"Stranger Than Fiction, No. 72"

(*Universal*)

Six oddities shown here make for fair entertainment. They include a "dream house" in North Carolina; a 36-year-old race horse on a Kentucky farm; a collection of horseshoes; a railroad operated by one man in a remote part of Utah; a sidewalk paved with tombstones and a friendship existing between a boy and a duck. Running time, 9 mins.

"Going Places, No. 72"

(*Universal*)

While the filmed matter is run of the mine, Graham McNamee's narration concerning Cecil Rhodes and the history of Rhodesia is extremely interesting. Shown are electric dairies, waterfalls, coal mines, etc., in that southern part of Africa. Shots of the Cape-to-Cairo Railroad and the Victoria Falls complete the picture. Running time, 9 mins.

"Going Places, No. 73"

(*Universal*)

Two subjects, dogs and railroads, share the footage here. The railroad phase is concerned with the welding and laying of rails. Rounding out the reel are pictures of a dog hospital, a dog beauty shop and finally a swank dog show. Running time, 9 mins.

Dixie Exchange Moves

ATLANTA, March 21.—Dixie Film Exchange has moved to larger quarters here. The company, headed by Ted Toddy, president, and S. Hickman, distributes the films of Dixie National Pictures, Inc., all made with Negro casts.

'Girl Friday' Strong in Hub Pulls $36,000

BOSTON, March 21.—"His Girl Friday" and "Convicted Woman" grossed $21,000 at Loew's Orpheum and $15,000 at Loew's State for the best business of the week. "My Little Chickadee" and "Honeymoon Deferred" took $17,000 at the Keith Memorial.

George Beatty headed a vaudeville show at the Keith Boston for four days along with a double feature, which aided in giving the theatre an average gross for the week.

Estimated takings for the week ending March 13:

"Isle of Destiny "(RKO)
"Hunchback of Notre Dame" (RKO)
"Charlie McCarthy, Detective" (Univ.)
3 days
KEITH BOSTON — (3,200) (25c-30c-40c) Gross: $8,00. (Average, $8,000)

"My Little Chickadee" (Univ.)
"Honeymoon Deferred" (Univ.)
KEITH MEMORIAL — (2,907) (25c-35c-40c-55c) 5 days. Gross: $17,000. (Average, $14,500)

"Sidewalks of London" (Para.)
"Seventeen" (Para.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $12,000 (Average, $14,500)

"Judge Hardy and Son" (M-G-M)
"British Intelligence" (W. B.)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $4,500)

"Judge Hardy and Son" (M-G-M)
"British Intelligence" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,000)

"The Light That Failed" (Para.)
"Married Wife" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $4,000. (Average, $4,000)

"His Girl Friday" (Col.)
"Convicted Woman" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $11,000)

"His Girl Friday" (Col.)
"Convicted Woman" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $21,000. (Average, $14,500)

5 Special Programs Set by Film Library

The Museum of Modern Art Film Library has arranged a series of five special programs, running from March 25 to May 5. The programs, and the period of each, are: "A Short History of Animation—The Cartoon," March 25-31; "Three French Film Pioneers," April 1-7; "Abstract Films," April 8-14; "Great Actresses of the Past," April 15-28, and "The March of Time," April 29-May 5.

The programs will be shown daily at 4 P.M. and on Sundays at 2 and 4 P.M. The first pictures the progress of the animated cartoon, the second is devoted to Ferdinand Zecca, Emile Cohl and Jean Durand. The program on the abstract film uses pictures produced from 1921 to 1939, indicating the development of the medium. Actresses of the past include Gabrielle Rejane, Sarah Bernhardt, Minni Maddern Fiskè and Eleanora Duse, while the last program includes the seven most outstanding issues of the "March of Time."

New Pawtucket House

PAWTUCKET, R. I., March 21.—William A. Pinault, local druggist, is rushing plans for a 840-seat second run house here. The house is scheduled to open in the Fall under the management of Chester Currie and Walton Harmon, lessees.

Gordon Band, 'Wolf' At $15,500 in Buffalo

BUFFALO, March 21.—"The Wolf of New York" and "Money to Burn," boosted by Gray Gordon's orchestra, Alberni and Company and others on the stage, brought a big $15,500 to the Twentieth Century. "Seventeen" did an excellent $8,800 at the Hippodrome. "Northwest Passage" drew $15,000 at the Buffalo.

Estimated takings for the week ending March 16:

"Northwest Passage" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. D'Artega & orch., Ben Yost Singers, Getrude Lutzi & Peggy Stewart in Rhythmic impressions. Gross: $15,000. (Average, $12,000)

"Pinocchio" (RKO)
GREAT LAKES—(3,000) (30c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $7,500)

"Sidewalks of London" (Para.)
"Seventeen" (Para.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $8,800. (Average, $6,800)

"The Wolf of New York" (Rep.)
"Money to Burn" (Rep.)
TWENTIETH CENTURY—(3,500) (30c-40c) 7 days. Gray Gordon & orch. on stage, with Rita Ray, Johnny Victor, Cliff Grass, Luis Alberni & Co., The Four Franks and The Five Elgins. Gross: $15,500. (Average, $7,500)

"Charlie McCarthy, Detective" (Univ.)
"Call a Messenger" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $6,300. (Average, $6,300)

Band for Premiere

ALBANY, Ga., March 21.—Arrangements were completed today for Enoch Light and his Hotel Taft orchestra from New York to appear at the world premiere of Paramount's "The Biscuit Eater" at the Albany Theatre here on April 11. The band will provide music for a charity ball following the screening of the picture.

'Magic Bullet' Does $13,500, Best in Frisco

SAN FRANCISCO, March 21.—"Dr. Ehrlich's Magic Bullet," paired with "Young As You Feel" for a strong $13,500 at Paramount. "Gone With the Wind" drew $29,000 in the seventh week at the Warfield. Other business was off, attributed largely to the Lenten season.

Estimated takings for the week ending March 12-15:

"The Marines Fly High" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $12,500. (Average, $15,000)

"My Little Chickadee" (Univ.)
"The Lone Wolf Strikes" (Col.)
ORPHEUM—(2,440) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $8,200. (Average, $8,000)

"Grapes of Wrath" (20th-Fox)
FOX—(5,000) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $13,000. (Average, $16,000)

"Dr. Ehrlich's Magic Bullet" (W. B.)
"Young As You Feel" (20th-Fox)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $11,500)

"House Across the Bay" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $8,000)

"Northwest Passage" (M-G-M)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $4,800. (Average, $6,000)

"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days, 7th week. Gross: $29,000. (Average, $12,000)

"Harvest" (French Cinema)
CLAY—(400) (15c-35c-40c) 7 days, 4th week. Gross: $1,000. (Average, $1,000)

"Tevya" (Maymon)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $800. (Average, $1,000)

JOHNNY APOLLO is the jolt the industry needs!

20th CENTURY FOX

Broadcasters Assail Ascap's New Contracts

(Continued from page 1)

pay 5 per cent, and networks, 7½ per cent.

Charges for sustaining shows would be $12 annually for the first group; a 25 per cent reduction for those in the second; with the third group remaining on the present scale.

Ascap's policy with respect to educational, municipal, charitable or religious stations would remain unchanged.

The contracts are slated to become effective next Jan. 1 and their effective term may be from one to 10 years at the election of the individual licensee.

Terms of the contract were drawn by Ascap's radio negotiating committee, consisting of Walter Fischer, chairman; Irving Caesar, Oscar Hammerstein, II, and Herman Starr.

$1,500,000 Paramount 1st Quarter Net Seen

(Continued from page 1)

distributed earnings of partially owned non-consolidated subsidiaries.

Earnings for the quarter ended Dec. 31, 1938, were $2,229,000, including $360,000 representing net capital and non-recurring income, and $87,000 profit on the purchase of debentures of Paramount Pictures, Inc.

Earnings for the year ended Dec. 31, 1938, were $4,105,675, including $292,361 of net capital and non-recurring income, profit on debenture purchase and direct and indirect net interest as a stockholder in the combined undistributed earnings of partially owned non-consolidated subsidiaries. After dividends on the first and second preferred, the 1938 earnings were equal to $1.18 per share.

There were outstanding, as of Dec. 30, 1939, 144,672 shares of cumulative convertible $100 par value six per cent first preferred stock, and 555,071 shares of cumulative convertible $10 par value six per cent second preferred stock. After deducting $1,201,074 of dividends accrued for the year on these preferred shares, the remaining $2,668,926 of estimated combined consolidated and share of undistributed earnings for the year represent $1.08 per share on the 2,465,927 shares of common stock outstanding at Dec. 30, 1939.

Film Baseball Games Will Start on May 1

Annual tournament of the Motion Picture Baseball League will get under way on May 1. Twilight games are scheduled for Mondays, Wednesdays, Fridays and Saturdays at the George Washington High School Stadium.

Harry Marcus of Republic was elected president of the league; Morris Rosenbaum, Skouras Theatres, treasurer; and I. A. Goldberg, M-G-M, secretary and publicity manager. Seven teams have signified their intention of joining the league and the eighth is expected shortly. The seven teams are Consolidated Film Industries, National Screen Service, National Broadcasting Co., Rockefeller Center, Paramount, RKO and Skouras Theatres.

Smash State Gross For 'House', Jessel

(Continued from page 1)

master of ceremonies for the weekly amateur "Opportunity Hour" on Monday evening, an outstanding gross for the week is expected.

"Young Tom Edison" ended its first week at the Music Hall Wednesday with an estimated $82,000. The film is holding a second week. "Three Cheers for the Irish" closed its second week at the Strand with an estimated $18,000, making way for "Virginia City," which starts today.

The Capitol drew an estimated $35,000 for the second week of "Northwest Passage," ending yesterday. The third week starts today. "My Little Chickadee" accounted for an estimated $35,000 for its week at the Roxy, being replaced today by "Primrose Path."

"Grapes of Wrath" yesterday concluded its run of eight weeks and two days at the Rivoli. "It's a Date" starts there today.

"Pinocchio" drew more than $20,000 in the seventh week, ending Wednesday, at the Center. The film will end its run next Wednesday, and will open on the RKO circuit on Thursday.

Coast Sound Chiefs Coming Next Month

A group of sound directors of major studios on the Coast will arrive here early next month to study new developments in film recording and reproducing.

As guests of Erpi, the sound men will attend the first demonstration of stereophonic sound reproduction by Bell Telephone Laboratories at Carnegie Hall April 9, visit the Kearny, N. J., plant of Western Electric, and study other developments.

Clifford W. Smith, Hollywood vice-president of Erpi, will be in charge of the trip. Others in the party will be Douglas Shearer, M-G-M; Elmer Raguse, Hal Roach; E. H. Hansen, 20th Century-Fox; Loren L. Ryder, Paramount; John Livadary, Columbia; Thomas Moulton, Samuel Goldwyn; Bernard Brown, Universal; Jack Whitney, General Service Studios; K. F. Morgan, commercial manager of Erpi.

Trial April 15 Tests Florida Ascap Law

Trial of the action to test the constitutionality of Florida's anti-Ascap law will be held April 15 before a Federal statutory court at Gainesville, Fla.

Ascap is seeking a permanent injunction to restrain the state from enforcing the law. A temporary injunction has been in effect for about two years.

Louis D. Frohlich of Schwartz & Frohlich, Ascap counsel, and E. C. Mills, chairman of the Ascap administrative committee, will go to Gainesville for the trial.

Edward Harding Dies

PROVIDENCE, March 21.—Edward Harding, 57, for many years a ticket-taker and doorman in downtown theatres here, died today. He had been ill for four months. Funeral services will be held here tomorrow.

Theatre Is Offered For Church Service

Avoca, Iowa, March 21.—The Harris-Avoca here was opened for the noon Passion Week services from 12:30 to 1 P.M. during the past week with the four Protestant ministers of the town conducting the services. The owner of the theatre offered to open the theatre for the meetings, since it is centrally located, so that business men and clerks could attend the half-hour services.

FCC Studies Single Band for Television

WASHINGTON, March 21.—The Federal Communications Commission today studied the desirability of consolidating all frequencies assigned to television within a single band.

Frequency modulation broadcasters continued their appeal for the use of all frequencies between 41 and 44 megacycles, part of which are now used for television.

Dr. Greenleaf W. Pickard, consulting engineer of the Yankee network, suggested the change, explaining that consolidation would simplify the production of FM receivers. He declared it would eliminate the necessity of shifting arrangements for switching from one band to another.

Pickard advised the Commission that this was considered important by the frequency modulation broadcasters, who are seeking to abandon the 25-megacycle channel which they now use. That band, he said, is not desirable for broadcasting but might be usable by special services.

Films Needn't Fear Television—Seldes

Television "will have to be good" to compete with films, and how good it will be remains to be seen, declared Gilbert Seldes, director of television for CBS, at the Ampa luncheon meeting yesterday at Dempsey's Restaurant. The program was sponsored by MOTION PICTURE DAILY.

"The scare heads in Hollywood who are afraid of television as a potentially strong competitor probably recall the turmoil with the coming of sound," said Seldes. "Television will be a gradual development and no one will be unprepared for its coming."

Seldes said there probably will be two types of television programs, one for the home and another for theatres. There are several ways in which films and television can cooperate, he pointed out, just as the press, radio and films have cooperated with one another for their mutual benefit.

Television will compete with all other amusements and pastimes, even as they now compete with one another, he continued. It will be competition to radio eventually, he said, but the radio field anticipates this without fear.

Giovanni, a "master pickpocket," amused with tricks on Jack Dempsey, A. J. Powers and others. Danny Kaye sang. Entertainment was provided by the Columbia Artists Bureau.

Radio Brevities

"THERE are four types of audiences to whom American companies engaged in Latin American trade should address their sales talks," says L. P. Yandell, NBC executive in charge of short wave.

"These are government officials, who are regular radio fans be[illegible]e they listen to official government broadcasts of other countries, and from whom exporters may expect favors or disadvantageous tariffs.

"Second are wealthy mine and land owners who are compelled to live inland but who wish to keep abreast of the latest news and make large purchases.

"Third, is the vast middle class audience, comparable to the American listening public, and, last, is the large group which does not own radio sets but listens in the public squares and parks from government-owned sets."

"Prof. Quiz" to Hollywood

"Prof. Quiz" will make his next three CBS broadcasts from Hollywood. While there he will try to arrange with Paramount for the production of a series of shorts based on his quiz show.

Program Notes

H. V. Kaltenborn, who has been with CBS as news commentator since the inception of the network, will move over to NBC-Red on March 30, as a sustainer on Saturdays at 7:45 P. M. and Sundays at 3:45 P. M. Kaltenborn will sail for Rome on April 27, and will resume his talks on May 28 under the sponsorship of the Pure Oil Co.

The Bell System will sponsor a half-hour show, "Telephone Hour," over 70 NBC-Red stations on Monday, April 29, at 8 P. M. It will be an institutional show and will feature James Melton and the Don Voorhees Symphonic Orchestra.

"Confidentially Yours" expands to three Mutual stations, effective April 2. . . . A 2½-minute transcription program for Lucky Strike cigarettes, Mondays through Saturdays, at 7 A.M., 1 A.M. and 2 A.M., starts over WABC on Monday, April. Songs currently on the hit parade will be featured.

The Screen Actors Guild show for Gulf Oil will be dropped for the Summer, as is customary, after the April 21 broadcast, and will be replaced by the "Ellery Queen" show which will be sponsored for the first time by the S.A.G. sponsor. It will be heard over 66 CBS stations on Sundays at 7:30 P.M., starting April 28.

New WMCA Business

Eight hours and 45 minutes of new programs, including news programs, spot announcements and variety shows is reported in WMCA's bi-monthly report of new business.

CBS Sales Post to Fagan

CBS is developing the service end of the sales department, William C. Gittinger, vice-president in charge of sales, announced yesterday in connection with the appointment of William J. Fagan as assistant sales manager effective April 1. Fagan was with CBS from 1929 to 1937, resigning to take the post of business manager of the radio department of Benton & Bowles.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 47. NO. 59 NEW YORK, U. S. A., MONDAY, MARCH 25, 1940 TEN CENTS

W. B. Demand Unions Abide By Contracts

Fights New Strike Threat In Philadelphia

PHILADELPHIA, March 24.—Warner Theatres expects the I.A.T.S.E. unions here to live up to the terms of existing contracts, Morris Wolf, Warner attorney, declared in letters to union heads.

The letters were sent to the leaders of the stagehands, projectionists and electricians' unions in a Warner move to combat the ultimatum of the I.A. T.S.E. here to walk out in sympathy with the musicians striking against Warner houses.

May Take Fight Into Courts

"If they ignore the requests," said Wolf, "it will be necessary to resort to the courts for relief. However, I do not think we will have to do that."

George Browne, president of the I.A.T.S.E., last week sent out a road call to other locals here, serving notice on Warners that unless the musicians' strike is settled by April 1, all stagehands, projectionists and electricians will walk out in a sympathy strike.

The strike, now in its fourth month, was called by the musicians after Warners had refused to hire musicians in any Philadelphia theatres except

(*Continued on page* 8)

See Smash Gross For Easter Week

Despite a general drop in business on Good Friday, Broadway business reacted swiftly to the Easter weekend, and is headed for smash grosses this week.

With strong product at all houses and the Eastern week holiday filling the city with out-of-town visitors and the downtown streets with children on a school vacation, business is expected to be unusually strong.

"It's a Date" opened Friday at the Rivoli, "Virginia City" started its run at the Strand on the same day, as did "Primrose Path" at the Roxy. "The House Across the Bay," with George Jessel heading the stage show, is in its first week as a first run at Loew's State.

Strong holdover product making its bid for visitors' attention includes "Northwest Passage" at the Capitol, "Gone With the Wind" at the Astor, "Road to Singapore" at the Paramount and "Young Tom Edison" at the Music Hall.

U.A. Plans 30 Films Costing $29,000,000. 'Dictator' 1st Release

Charles Chaplin's "The Great Dictator" will be the first release of the new United Artists season. The company's program will consist of 30 features for which 14 producers will spend approximately $29,000,000.

Maurice Silverstone, chief executive of the company, called upon exhibitors to cooperate with producers who undertake quality production in the face of shrinking world markets.

Interviewed on his return to New York over the weekend after a month of new season production planning in Hollywood, Silverstone pointed out that producers and distributors will be obliged to rely on increased revenue from the domestic market if they are to continue delivering high grade product.

"The industry will be at the crossroads this year," Silverstone said. "Whether it will continue to turn out quality product on a large scale, or whether it will be forced to resort to low cost pictures, will be up to the exhibitors of this country.

"If they cooperate with the industry and give extended playing time to good pictures and sell them on a

(*Continued on page* 8)

Dan Michalove Due In N. Y. This Week

Dan Michalove, assistant to S. R. Kent, president of 20th Century-Fox, is due this week from the Coast where he arrived last week following a five-month trip to Australia. Purpose of his trip was to make a survey of the theatre situation in connection with the proposed merger of Hoyts and Greater Union circuits.

TRUST PEACE TALKS TO FIX NEELY FATE

May Shelve Bill Pending Trial of Distributors' New Policies

WASHINGTON, March 24.—If the present negotiations for an out-of-court settlement of the Government anti-trust suit are successful the Department of Justice is expected to recommend that the Neely bill be held in abeyance until it can be determined how new policies to be adopted by the distributors work out.

Imminent agreement between Senate and House conferees on the omnibus transportation bill is seen here as strengthening the prospect of April hearings on the Neely bill.

Whip Neely Bill Into Shape

Scheduled to follow the rail legislation in the House Interstate Commerce Committee, consideration of the Neely bill has been held up by the preoccupation of members of that committee with the subject of transportation. That measure now, however, is practically agreed upon and the results of the conferees' work are expected soon to be turned over to the drafting staff to be whipped into shape for final adoption by Congress a task which will require two or three weeks.

While there has been no denial that consideration has been given to consent decree settlement of the Government suit, neither Department of Justice nor Commerce Department officials will discuss any definite pro-

(*Continued on page* 4)

Majors Ask More Adequate Answers

Contending that the Government has given "incomplete or unresponsive answers," to a number of consolidated interrogatories in the New York anti-trust suit, all major companies except Columbia Saturday served notice on the U. S. that they will apply to Federal Judge Goddard on March 29 for an order requiring the Government to complete its answers.

Newsreels Drop War Cooperation

By AL FINESTONE

Newsreel operations in France, centering on the war in the West, have split into two camps, with Movietone News (20th Century-Fox) and M-G-M's News of the Day in one and Paramount, Universal and Pathe in the other, as a result of the breakup of a cooperative working arrangement which formerly included all five.

This is disclosed by Lewis Buddy, Jr., Paramount News chief for Continental Europe, who is in New York for conferences with John Hicks, vice-president in charge of foreign distribution, and A. J. Richard, head of the newsreel.

As a result, competition has intensified for the American newsreels in covering the European war and costs

(*Continued on page* 4)

"It's A Date"

[Universal]

HOLLYWOOD, March 24.—Hollywood last week saw Deanna Durbin achieve the well-nigh impossible—the graceful transition from an adolescent youngster, first famed for her singing, through the "awkward stage" into the full bloom of the adult, with a seemingly inherent richness of maturity, both in voice and in acting.

She has become one of the rare specimens of cinematic history—a youngster retaining a box-office personality through the tender years to the grownup stage, while still giving full promise of years and years in which to entertain the American and the world public.

This phenomenon was disclosed at the preview of "It's a Date," one of the finest examples of sheer entertainment ever achieved. It is to be reported that the "gallery gods," as well as the professional audience, gave a virtually unprecedented ovation during and after the picture's preview. There was more unanimously favorable lobby comment from

(*Continued on page* 4)

Freeman Silent After Washington Mission

Y. Frank Freeman, Paramount vice-president and studio head, left for the Coast by train on Friday after a week's visit in New York.

Prior to his departure, Freeman went to Washington, reportedly to confer with Department of Commerce officials on phases of theatre divorcement involved in the current discussions between industry representatives and Washington officials on an out-of-court settlement of the Government's New York anti-trust suit.

Freeman refused to comment on his Washington trip, but it is known that he conferred at length with Will H. Hays, M.P.P.D.A. president, soon after his return to New York from the Capital.

Barney Balaban, Paramount president; Austin C. Keough, vice-president and general counsel, and Edwin

(*Continued on page* 4)

Philly Variety Club To Fete Pasternak

William A. Scully, Universal vice-president and general sales manager; Lou Pollock, eastern advertising and publicity director, and Hank Linet, Eastern exploitation manager, left for Philadelphia last night to attend the Variety Club testimonial luncheon for Joe Pasternak, Universal producer, there today.

More than 50 Philadelphia exhibitors and civic leaders will attend the luncheon in Pasternak's "home town."

Pasternak will entertain the Philadelphia press representatives later in the day and will come to New York tomorrow night. He will spend about a week here seeing plays and conferring with home office executives.

Illinois Allied Fights Threat of Coin Films

Chicago, March 24.—The Illinois Allied board of directors has passed a resolution voicing opposition to coin-operated motion picture machines, and have announced that they will fight any competition which such machines may create. The board reiterated its stand against double and triple features.

Takes East Haven House

East Haven, Conn., March 24.—Irving C. Jacobs, Jr., operator of the Branford Theatre, will take over the Capitol Theatre property, including the 748-seat theatre and two stores, in April. The current Hoyt-Herr lease stands for the next nine years.

Crafty Dinerman

Cincinnati, March 24.—Groverman Blake, theatre editor of the Cincinnati *Times-Star,* writing under the caption of "Craftiest Publicity Director," says the following about E. V. Dinerman, RKO division publicity chief:

"Whenever the film critics signify, by their pained expression at the conclusion of a film, that they have witnessed a turkey, Dinerman is always on hand with this: 'Naturally, boys, this one won't appeal to you intelligent people. But it has audience appeal, gentlemen. Don't make the mistake of offending the public in your reviews'."

Give Away 10 Cars In 12 K. C. Houses

Kansas City, March 24.—Biggest giveaway promotion by theatres since Bank Night was inaugurated here this week by Fox Midwest Theatres, Inc., involving 12 theatres. For ten weeks from March 22 to May 30 the 12 Fox Kansas City houses, including the Uptown and Esquire, first runs, will give away a Ford V-8 and $500 in cash for a total of 10 Ford cars and $5,000 in cash for the period.

Weekly prize awards include a Ford, two prizes of $50 each, 20 prizes of $10 each, 40 prizes of $5 each and 100 pairs of tickets, for 163 each week.

Participating, besides the Uptown and Esquire, are the Plaza, Rockhill, Warwick, Madrid, Vista, Linwood, Isis, Waldo, Gladstone and Brookside.

Al. Tec *says*

The sound equipment in the projection room of your theatre produces, believe it or not—a "spectrum." Nobody can *hear* a "spectrum," but your Altec engineer, aided by his exclusive Altec instruments, can analyze it and change it. The sound your patrons hear is better, as a result.

AL. TEC

ALTEC
SERVICE CORPORATION
250 West 57th Street, New York City
THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

Purely Personal

Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, returned to the Coast over the week-end.

•

Harry Carey is returning to the Broadway stage for the first time in twenty-seven years. The vehicle is "Heavenly Express," which goes to Washington today for a week's run, before it starts its New York engagement.

•

Emanuel Silverstone, American representative for Alexander Korda, and Morris Helprin, Korda's production assistant, will leave for the Coast by plane today. Korda left Friday by train and will arrive in Los Angeles today.

•

Charles Segall, board chairman of the United M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, was confined to Mt. Sinai Hospital, Philadelphia, last week after a heart attack.

•

Andre Heymann, president of French Cinema Center, flew to Montreal Friday to arrange Canadian distribution on the company's imported French product.

•

Charles Raymond, formerly managing director of M-G-M British theatres, who arrived last week from London with his family, is visiting in Washington.

•

A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald,* is spending a few days at Phoenix, Ariz., before returning here from the Coast.

•

Capt. Frank C. Badgley, director of the Canadian Government Motion Picture Bureau, has been reelected president of the Red Chevron Club, an organization of war veterans.

•

Irwin Steinhart, manager of the Manor Theatre, Toronto, and Roy Lerner of Grand National Films, Ltd., Toronto, have enlisted in the Royal Canadian Navy.

•

I. Goldsmith, British producer now in this country, has returned to the Coast after a short stay in New York.

•

Lucy Flack, owner of the Capitol, Milford, Conn., has returned home after having been confined to the hospital.

•

Lee Newbury of Belmar, N. J., president of Allied of New Jersey, returns today from an extended vacation in Florida.

•

Gene Marcus, veteran Philadelphia film man, has recovered from a long illness.

•

Homer Lambert, M-G-M exploitation representative in Omaha, observes a birthday today.

•

Judith Anderson left for the Coast Saturday after a radio broadcast here.

•

Norman C. Nicholson, attorney, is in Florida.

Trade Chiefs Among 900 at ITOA Dance

Seventh annual dinner-dance of the New York I.T.O.A. was held Saturday night in the grand ballroom of the Hotel Astor. In the throng of 900 were leaders of the industry and city officials.

The ballroom was decorated to resemble a Spanish patio. Music was provided by Ben Nelson's NBC orchestra and Godoy's rhumba band. Milton Berle was master of ceremonies. David Weinstock was general chairman.

Among those the I.T.O.A. listed as attending were William F. Rodgers, Jack Cohn, William Sussman, Harry Gold, C. C. Moskowitz, Marvin Schenck, George F. Dembow, T. J. Connors, E. M. Saunders, L. E. Thompson, Arthur Silverstone, Herman Gluckman, Thomas W. Lamb, Joseph J. Lee, Edward Schnitzer, Max A. Cohen, Harry Brandt, William Brandt, Lou Brandt, Bernard Brandt, Harry Kosiner, Bob Wolff, Si Fabian, Kate Cameron, Ted Friend, W. French Githens, Adolph Haas, Joe Hornstein, J. H. Hoffberg, Laurence Bolognino, Allan Corelli, Jack Bowen, Bernard S. Barr, Milton C. Weisman, Joseph D. Basson, John Benas, Melvin Albert, Gilbert Josephson, Otto Lederer, J. P. McAvoy, John Nolan, Eugene Picker, E. K. O'Shea, Charles O'Reilly, Walter Reade, Monroe Greenthal, Murray C. Spett, Bernard Sholtz, Homer B. Snook, Harry Thomas, John Manheimer, A. E. Meyer.

Coast Flashes

Hollywood, March 24.—Personnel changes were announced in the Warner Brothers shorts department over the week-end. Ira Genet, who had been making a series in the Brooklyn Vitaphone studios (now closed), will work under Gordon Hollingshead here. Charles Tedford, writer, has been shifted to the feature department and Owen Crump will handle stories and scripts.

RKO has borrowed Louis Hayward from Edward Small to co-star him with Maureen O'Hara in "Have It Your Own Way," new title for "One of Six Girls."

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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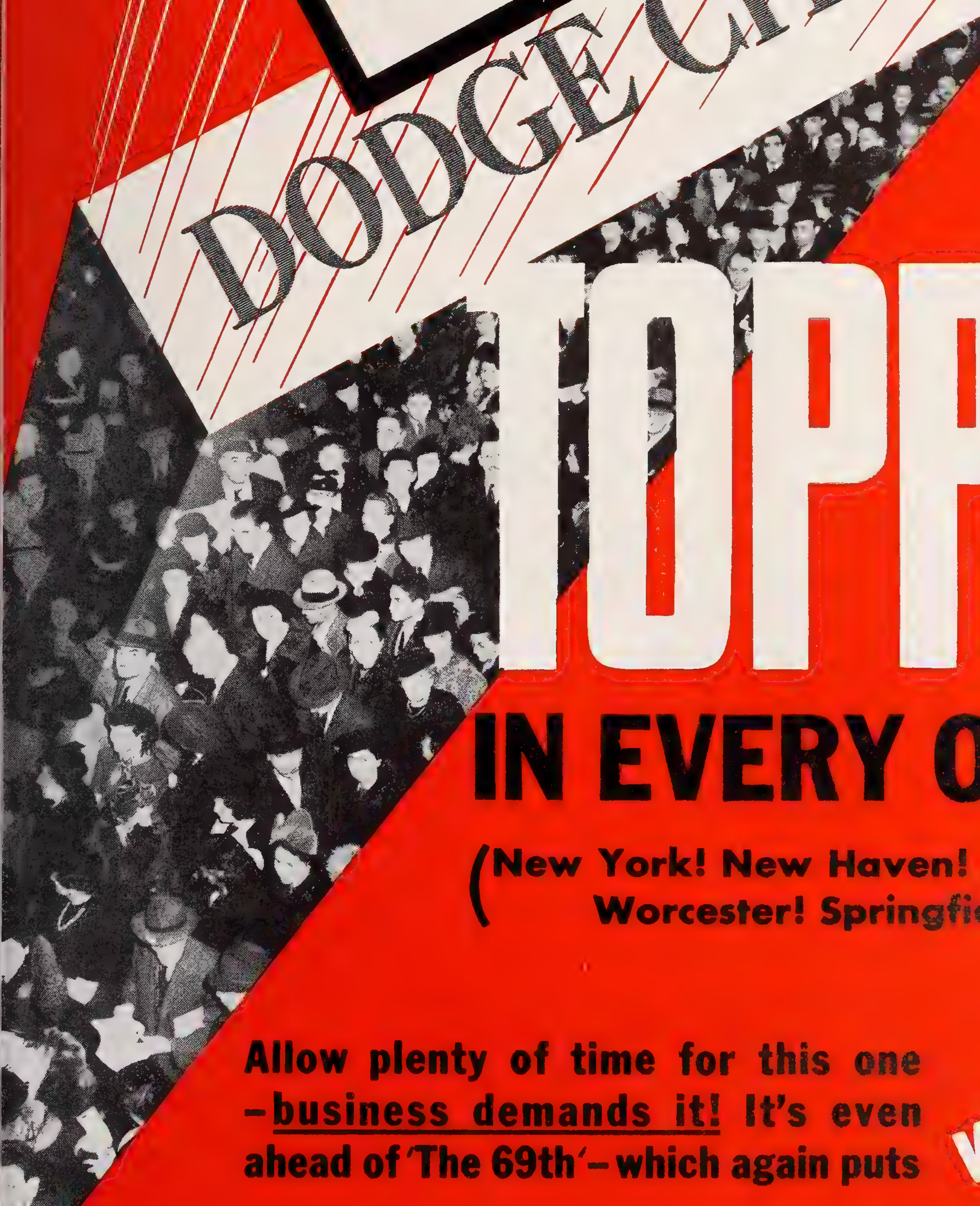
VIRGINIA CITY

DODGE CITY

TOPPED!

ERROL FLYNN and
MIRIAM HOPKINS
in **"VIRGINIA CITY"**
with **RANDOLPH SCOTT**
HUMPHREY BOGART
FRANK McHUGH • ALAN HALE
GUINN "BIG BOY" WILLIAMS
Directed by MICHAEL CURTIZ
Original Screen Play by Robert Buckner
Music by Max Steiner
A Warner Bros.-First National Picture



IN EVERY OPENING!!

(New York! New Haven! Hartford! Bridgeport! Worcester! Springfield! Hot Springs!)

Allow plenty of time for this one –business demands it! It's even ahead of 'The 69th'– which again puts

WARNERS AHEAD OF EVERYONE!

Neely Fate Hinges On Suit Settlement

(*Continued from page* 1)

posals which may be offered to that end.

Within the industry, however, it is reported that new methods of selling pictures have been worked out which, it is hoped, will satisfy both distributors and exhibitors, eliminating many of the criticized features of block booking while permitting the producers confidently to go ahead with production.

With the block booking issue, one of the major issues of the case, settled to the satisfaction of the Government, the Department of Justice, it is said, would then line up with the distributors in an appeal to the House committee to hold its hand until the results of new selling practices could be determined.

Negotiations for the consent decree are being conducted with the utmost secrecy, but it has been intimated that all efforts are being exerted to reach an agreement before the committee begins its hearings, so that the results of the conferences, said now to be going on, can be laid before the committee, either in a recommendation that it abandon the legislation or, in some manner, a disclosure that the distributors have failed to offer a satisfactory and workable solution of the problem.

Proceeds for Opera

Proceeds of the opening day of "The Life of Giuseppe Verdi," Italian film, at the Fine-Arts Theatre April 2 will be donated to the Metropolitan Opera Fund.

JOHNNY APOLLO

. . . from the master-maker of drama with life-true impact, Darryl F. Zanuck!

20th Century Fox

"It's A Date"

[Universal]

(*Continued from page* 1)

the press than there has been, perhaps, since the preview of "Gone With the Wind."

Featured by excellent support of a cast headed by Kay Francis and Walter Pidgeon, a delightful screenplay by Norman Krasna, fine direction by William A. Seiter, who guided the youngster for the first time, and flawless offstage technical aid, the Joe Pasternak production is just about what any theatre man, from luxurious first run house to the fringe of the zone, will be proud to screen. It is a picture to go to town on and with.

Krasna, in adapting the original story by Jane Hall, Frederick Kohner and Ralph Block, worked into the screenplay a contrastingly arrayed set of human qualities. One conflict is that of a mother's love for a man with whom her daughter pretends to be infatuated and the other is that of the daughter's desire for a stage role which her mother covets. The mother is played by Miss Francis, who does exceedingly well. Walter Pidgeon, as the object of both their affections, effects his best screen characterization. The support is by such sterling players as Eugene Pallette, Henry Stephenson, Cecilia Loftus, in an outstanding portrayal; Samuel S. Hinds, Lewis Howard, S. Z. Sakall, making his American debut; Fritz Feld and Eddie Polo.

Seiter was at his best in guiding the nuances, turning in an outstanding directorial effort. The sound recording, directed by Bernard B. Brown, is of the same calibre which won for Brown the last Academy award for recording. The richness of the background, which shifts from New York to Maine and thence to Honolulu, was enhanced greatly by the efforts of Jack Otterson, art director.

There are seven songs in the picture—"Love Is All," by Pinky Tomlin and Harry Tobias; "It Happened in Kaloha," by Ralph Freed and Frank Skinner; "Rhythm of the Islands," by Eddie Cherkose, Jacques Press and Leon Belasco; "Gypsy Lullaby," lyrics by Freed; Schubert's "Ave Maria;" "Loch Lomond," and "Musetta's Street Song," from Puccinis "La Boheme." Harry Owens and his Royal Hawaiians also appear.

Running time, 100 minutes. "G." VANCE KING

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* *"G" denotes general classification.*

Para. Invites Press To Georgia Opening

Trade paper and newspaper representatives have been invited by Paramount to attend the world premiere of "The Biscuit Eater" at the Albany Theatre, Albany, Ga., on April 11.

The group will leave New York by plane on April 10, spending the night in Atlanta, and continuing from there to Albany the following day for the premiere.

Oscar Morgan, Paramount's Southern division sales manager, will head a home office delegation attending the premiere.

Freeman Silent After Washington Mission

(*Continued from page* 1)

L. Weisl, Paramount board member, were at the train Friday to see Freeman off.

On his arrival in Hollywood today, the Paramount studio head, who is also president of the M.P. Producers' Ass'n and chairman of its labor negotiating committee, will arrange with J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, on a date for resumption of negotiations on relinquishment of the 10 per cent wage increase granted studio unions last November. The negotiations are expected to be resumed within the week.

Remodels Conn. Theatre

STRATFORD, Conn., March 24.—Albert Pickus, operator of the Stratford here, reports he will remodel his floor plan, and increase the present 500 seating capacity to 800.

Perfume Co. Loses Fight Against RKO

N. Y. State Supreme Court Justice Pecora on Friday refused an injunction to the Caron Corporation, perfume manufacturers, against RKO-Radio Pictures, in connection with the latter's film, "Primrose Path." The perfume company tried to halt distribution of the picture and the current showing of the film at the Roxy, on Broadway. It claims injury by the fact that one of its perfume bottles was used in one of the sequences of the picture. Bruce Bromley, of the law firm of Cravath, DeGersdorff, Swaine & Wood, represented RKO.

The Roxy Theatre also was a defendant in the action, and was defended by Percy Heiliger. John Harding assisted in the defense.

Maginot Action Filmed

Films of Truman H. Talley, Movietone News producer, and Russell Muth, European manager for the newsreel, touring the Maginot Line are included in the reel's current issue. The pictures, 138 feet in length, show the Movietone executives observing artillery crossfire, inspecting underground forts and the like. The films were taken by George Mejat, Movietone cameraman now with the French army, during Talley's recent visit to France.

File RKO Claims

Kommel & Rosenberg, attorneys for H. Cassel & Co., who fought confirmation of the RKO plan of reorganization to the Supreme Court, filed application Friday for final allowance of $15,000 and $1,871 disbursements.

Newsreels Drop War Cooperation; Competition High

(*Continued from page* 1)

have increased over what they were during the cooperative arrangement. Each camp is in a race with the other to get the best pictures and deliver them in New York first.

The new alignment will shortly spread to all of Continental Europe Buddy believes.

Because each group shares production and shipping costs, acting more or less as a unit, expenses are lower than before the war, although problems have increased, says Buddy. The arrangement benefits Universal and Pathe, which maintain small staffs in Europe.

At the war's outbreak almost seven months ago, the newsreel organizations in France, finding 75 per cent of their cameramen mobilized in the army, agreed to pool operations with the aim of sharing the work and expenses.

The agreement provided for the exchange of prints of stories covered and the shipping to America of one negative of each story from which all newsreels here would make their own release print versions. Possibilities of "scoops" were thus reduced.

The pool was broken up Feb. 18 when Truman H. Talley, vice-president in charge of production of Movietone News, held an all-night conference with newsreel representatives in Paris and decided to withdraw his reel. Talley felt that there was no advantage in maintaining the mutual agreement because the war films were more or less identical due to Government control. Also, Talley felt that Movietone, with a large staff, was shouldering a financial burden out of proportion to what his newsreel was obtaining in return.

The fact that Movietone had to give the other newsreels its exclusive material also was a factor, although Movietone received material which was exclusive with the others.

The chief problem for the newsreels in Europe today is how to get films to New York quickly. Air transportation is used as much as possible, with duplicate prints shipped by boat in event the first fails to arrive or arrives late.

There are numerous and involved problems in getting the films out of the European countries, says Buddy. Newsreel prints obtain no preference in France and are handled as other mail, with the result that they may be left behind if not on a plane by the time the mail load reaches capacity.

It costs $150 to send an average newsreel shipment from Paris to New York via clipper plane from Lisbon, not counting freight charges from Paris to Marseilles.

Buddy says the company which has the best setup for relaying prints to the destination point has the best chance of scoring a "beat." While no long-range plans are possible, preparations for transport have to be made carefully in advance, beginning at the point where an anticipated story may break. Sheer luck plays a large part in the entire procedure.

Censorship, which was clamped down at the beginning at the war, still presents a serious problem. Efforts are continuing to have censorship of film for the American market relaxed.

New York Reviews

"Rancho Grande"

(*Republic*)

Five new songs, "I Don't Belong in Your World," "You Can't Take the Boy Out of the Country," "Belles of the Bunkhouse," "Swing of the Range" and "Whistle," as well as two older favorites, "La Cucaracha" and "Alla En El Rancho Grande," are featured in this melodic western.

Gene Autry, Smiley Burnette and little Mary Lee each contribute several songs, with June Storey and Dick Hogan in supporting roles. Miss Lee is improving with each new role and her performance in "Rancho Grande" should win her many new friends.

As western films go, this one has little action to offer. Its chief attraction is the music. Autry, as foreman of a ranch, finds that two young easterners, Miss Storey and Hogan, have inherited the ranch. He is faced with the problem of constructing an irrigation system in order to get an extension of a mortgage. After overcoming the opposition of the heirs he succeeds in completing the system.

Frank McDonald and Bradford Ropes directed. William Berk produced.

Running time, 68 minutes. "G."* EDWARD GREIF

"Monkey Into Man"

(*World Pictures*)

Produced in England by Strand Films and released here by World Pictures, this film is scientific theory expounded via the screen. The film was supervised by Julian Huxley and S. Zuckerman, two English scientists, and made with the cooperation of the Zoological Society of London and the Museum of Natural History in Paris.

The film, directed by Stanley Hawes, Evelyn Spice and Donald Alexander, presents the theory of the evolutionary development of man. It uses occasional diagrams and an interesting commentary by John Martin to explain the theory of man's development from a one-celled organism to his present stature.

The material is occasionally amusing in its picturization of the activity of various types of monkeys, and is well presented, but its value as theatrical entertainment is problematical. It is essentially a documentary film, having a theme which is largely academic.

Running time, 65 minutes. "G."* CHARLES S. AARONSON

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*"G" denotes general classification.

Personal Appearances Aid Profit of Suburban Houses

PITTSBURGH, March 24.—Neighborhood and suburban motion picture theatres could show bigger profits if more vaudeville talent from Hollywood were available for personal appearances, Sam Fleishman, owner of the Roxian, maintained in a statement on box-office results of several recent stage attractions at his suburban house.

Currently presenting "Sons of the Pioneers" on his stage, a singing company headed by songwriter Bob Nolan of Columbia western pictures reputation, Fleishman claims that "most neighborhood theatres get a big kick out of stage talent, particularly when the entertainers come in with a previous buildup from film, radio or record appearances."

Several months ago, the Roxian drew $600 for a four-show day featuring Smiley Burnette and three musicians, against an average $200 daily gross. The acts usually cost Fleishman $150 a day plus percentage, or a $200 guarantee.

The Roxian, and other theatres around Pittsburgh, have played Ken Maynard, Tom Mix and Hoot Gibson in past years, following the belief that western stars are top draws for houses that can't afford name radio acts or front rank screen players. Many theatres within a 100-mile radius of Pittsburgh also present traveling units sporadically.

Downtown vaudeville is restricted to the Stanley. It usually features a name band and two to four single acts, or five or six specialties backed by Max Adkins' house orchestra.

The Senator inaugurated a stage and pictures policy in mid-December, but dropped it three weeks later, when it failed to show a profit because the added expense outweighed the increased income.

Carnivals Restricted

TORONTO, March 24.—The Toronto City Council has placed a restriction on carnivals in neighborhood parks throughout the municipality by the adoption of a resolution prohibiting the operation of a carnival company for more than two days.

Picketing Enjoined

MEMPHIS, March 24.—Union men here have enjoined by Chancery Court from picketing the Royal, owned by Walter M. Parham. Chancellor Swepston ruled the picketing—which began Feb. 20—should be discontinued because there is no strike in progress at the theatre.

EYES OF DOOM!
MAN OR BEAST?
A BRUTE WITH THE POWER OF A GIANT WHO KILLS AT THE COMMAND OF A MAD SVENGALI!
BELA LUGOSI
THE HUMAN MONSTER
Based on "DARK EYES of LONDON" by EDGAR WALLACE
HUGH WILLIAMS
GRETA GYNT
EDMON RYAN
WILFRED WALTER
A John Argyle Production
Directed by Walter Summers
A MONOGRAM PICTURE

English Attack Films on Radio As Competition

LONDON, March 7 (*By Mail*).—The problem of radio competition with theatres has reached Great Britain, and the increasing number of radio dramatizations of films, is causing widespread concern among British exhibitors.

The theatre owners contend that all too frequently the broadcasts keep people away from theatres.

The matter is likely to be raised in the C.E.A. general council in the near future if district objections develop into national action. At least one branch, that at Sheffield Yorks, is to discuss the matter at the instigation of Dennis Walls, general manager of the Emery Circuit and a general council delegate.

Exhibitors assert that the broadcasting of radio versions of current films should be controlled by some central trade organization or committee, which would approve not only the subjects, but the treatment and artists employed.

Walls cited the cases of "Babes in Arms" and "The Proud Valley" broadcasts which, he said, disappointed large numbers of followers of the pictures' stars by giving them wrong impressions of the pictures' contents and discouraged them from attending theatres where the films are shown.

Walls also cited a "Wizard of Oz" broadcast and a planned radio version of "Ninotchka."

'Seventeen' Denver High With $8,000

DENVER, March 24.—"Northwest Passage" and "Married and in Love" drew $11,300 at the Orpheum. "Seventeen" accounted for $8,000 at the Denham.

Estimated takings for the week ending March 20:

"I Take This Woman" (M-G-M)
ALADDIN—(1,400) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)

"Vigil in the Night" (RKO)
"Man From Dakota" (M-G-M)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)

"Seventeen" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,000. (Average, $6,000)

"Dr. Ehrlich's Magic Bullett' (W. B.)
"Blondie on a Budget" (Col.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $8,000. (Average, $8,000)

"Northwest Passage" (M-G-M)
"Married and in Love" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,300. (Average, $8,000)

"Green Hell" (Univ.)
"Lone Wolf Strikes" (Col.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)

"Grapes of Wrath" (20th-Fox)
"Legion of Lost Flyers" (Univ.)
RIALTO—(878) (25c-40c) 7 days, "Grapes of Wrath" 3rd week. Gross: $2,500. (Average, $1,750)

Theatre, Personnel Notes

Plan East Hartford House

EAST HARTFORD, Conn., March 24.—Officers of the Sycamore Corp., which will build a 1,000-seat theatre here, are: Morris Joseloff of West Hartford, president and treasurer; F. Brook Rattner, New York, secretary, and Lillian L. Joseloff, vice-president.

Kieffer Quits Dickinson

KANSAS CITY, March 24.—Ralph Kieffer, for several years booker for the Glen W. Dickinson Theatres and later for Griffith-Dickinson Theatres, Inc., has gone with W. D. Fulton as manager of the Vogue, subsequent run house here.

Remodels Kansas House

HOLDEN, Mo., March 24.—Nick Kotsis, who has completed remodeling the Holden here, has started to improve the Nu-Era at Oswego, Kan., where he will install new seats, air conditioning, marquee and other new equipment.

Theatre Firm Formed

SAVANNAH, Ga., March 24.—Samuel Hornstein and Ellis and Herman Blumenthal of Charlotte have formed B. & B. Theatres Corp. to operate theatres.

Takes Wisconsin House

MANAWA, Wis., March 24.—Robert Fox, operator of the Fox at Marion, Wis., has taken over the Manawa from Ray Goggins.

Buys Kansas City Theatre

KANSAS CITY, March 24.—Charles Potter's Saline Theatre Corp., has taken over operation of the Bijou from C. E. Esterley, who also has the Roanoke and State. Potter's company now has five houses: the Mary Lue, Bijou, Admiral, Baltis and Murray.

Open Ontario Theatre

TORONTO, March 24.—The Palace Theatre at Guelph, Ont., has been opened by Famous Players Canadian Corp., with R. McKibbin, formerly of the Royal, Guleph, as manager. McKibbin has been succeeded at the Royal by S. Andrews, manager of the Capitol, Guelph, while Martin Simpsin of the Capitol at Hamilton, Ont., has been transferred to the position vacated by Andrews.

Takes Over Spokane House

SPOKANE, Wash., March 24.—Howard Theatre Co., which operates the Granada here, has taken over operation of the Dishman. William R. Howes, Granada manager, also will manage the new house.

Improve Miami Drive-In

MIAMI, March 24. — The Miami Drive-In Theatre will spend $35,000 this Spring to install a new sound system, new generator, new screen and general improvements, according to Ira Loew, manager.

Manages Miami Theatre

MIAMI, March 24.—Harvey Fleischman, former manager of the Surf, has taken over as manager of the new Center. Succeeding him at the Surf is Fred Green, former assistant manager of the Surf. Both theatres are units of the Wometco Circuit.

Sell Philadelphia House

PHILADELPHIA March 24. — The Girard Theatre has been sold by the R-M-L Amusement Co., Inc., to Abraham J. Rovner. Purchase price for the theatre involved $17,000 and a mortgage of $40,000.

Install New Marquee

EAST GREENWICH, R. I., March 24. — A new neon-lighted marquee is being installed at the Greenwich theatre, managed by Joseph Stanzler.

Plan to Add Parking Lot

PROVIDENCE, March 24.—Edward Bomes, manager of the Liberty, second run house operated by the Elmwood Amusement Co., plans a new 350-car parking lot and will soon resurface the facade of the house with black glass along modern lines.

Form Theatre Company

NEWTON, N. C., March 24.—Newton Theatres, Inc., of Newton, has been incorporated here.

Operate Virginia House

FRANKLIN, Va., March 24.—Wayerly Theatre Corp., capitalized at $25,000, has been chartered to operate a motion picture theatre. H. J. Lyon is president.

Opens Theatre in Iowa

FONTANELLE, Iowa, March 24.—C. C. Parker, owner of the Fontanelle here, has finished the remodeling of the building he bought some time ago and has opened the new Parker Theatre there.

Plans 800-Seat S. C. House

CHARLOTTE, N. C., March 24.—George Parr of Lancaster, S. C., is planning to erect a new theatre at Lancaster with the opening scheduled about Aug. 1. The house will seat 800. Earl G. Stillwell of Henderson, N. C., is the architect.

Opens Theatre in Texas

DETROIT, Texas, March 24.—R. E. Blevins has opened the Village Theatre here. He was connected formerly with Tri-States Theatres at De Kalb.

Negro House in San Antonio

SAN ANTONIO, Texas, March 24.—The first exclusively negro theatre, the Avon, is being built here at a cost of $25,000, by Carl A. Milentz, who also operates houses in East Texas. It will seat 750.

Renovate 2 Lincoln Houses

LINCOLN, Neb., March 24.—Approximately $100,000 in theatre improvements is to be spent on two Lincoln theatres this Spring, the Stuart, 1,884-seat J. H. Cooper-Paramount theatre, and the Liberty, 903-seat house of the L. L. Dent affiliated Nebraska Theaters, Inc.

Roth Joins Warners

CHICAGO, March 24.—Max Roth, former district manager of Republic, has become a salesman for Warners.

Named Manager's Aide

MIDDLETON, Conn., March 24.—Emile DuFault, formerly at the Greendale, Worcester, is assistant to Ernest Dorau in managing the Capitol and Middlesex Theatres here.

Conn. House Ready April 10

HAMDNE, Conn., March 24.—The new Bailey-operated 936-seat Whitney Theatre here will be ready for opening about April 10.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN
"I thought they bred men of flesh and blood in Texas. I was wrong. You're made of granite."
"No, Mary! Just common clay! Bakes kinda hard—in Texas."
A Republic PICTURE

Tips on Exploitation

Balloon Barrage Used To Advertise "Rebecca"

PROVIDENCE, March 24.—Edward McBride at Loew's State used an aerial campaign for "Rebecca," releasing 500 balloons from the roof of the theatre, 25 with passes for the show, the rest carrying tags plugging the picture. McBride also used teaser copy in the newspaper campaign.

Identifying "Raffles" Brings Albany Prizes

ALBANY, March 24.—For their campaign on "Raffles" Andrew M. Roy, manager of Warners' Strand, and Jules Curley, zone advertising manager, had a man circulating during lunch hour in the downtown section, passing designated corners at publicized times. Persons with copies of the *Times-Union* might win $10 if they accosted the right man and accused him of being "Raffles."

Handbag Street Plant Used on Mystery Dual

PROVIDENCE, March 24.—Publicizing the RKO Albee's "Mystra-Drama Week" program, featuring "House of Seven Gables" and "Black Friday," George French and William Morton planted two dozen ladies' handbags on downtown sidewalks, offering finders free passes. The cards in the pocketbooks read, "You can't solve this mystery—and it's no April Fool stunt. Return this bag to the RKO-Albee theatre and you'll be given passes to see our mystery drama program."

Cops Give Tickets To "Cheers for Irish"

Exhibitors in a number of cities, playing "Three Cheers for the Irish," used the stunt suggested in the Warner press book. By arrangement with the local police departments, policemen on traffic duty distributed free tickets to the film to careful drivers.

Code Deciphering Stunt Helps 'U-Boat 29' Run

TORONTO, March 24.—For 'U-Boat 29," Don Doberer, manager of the Granada, Dunnville, Ont., distributed contest blotters bearing a pressbook illustration which includes a message in code and gave passes to the first six persons who brought the correct answer to the theatre before a designated hour.

'Pinocchio' Subject Of Lectures on Dance

Walt Disney's "Pinocchio" is the subject of descriptive lectures conducted daily at the Museum of Modern Art by Paul Magriel, curator of the new dance archives. "The Art and Importance of Walt Disney" is one of his topics of discussion, in which Disney's contribution to the dance in animation is pointed out.

Columbus House Uses Birthday Club Stunt

COLUMBUS, O., March 24.—Loew's Broad, in cooperation with the Kroger Grocery and Baking Co., held a "Your Birthday Club" party, in connection with "The Blue Bird." One thousand candy Easter eggs were distributed to members, 12 years of age or under, upon presentation of registration cards, obtainable at Kroger stores. The cards will be kept on file at the theatre.

Critics' Quotes . . .

"YOUNG TOM EDISON" (M-G-M)

Magnificent . . . The casting of the picture is amazingly perfect . . . There are enough thrills, tears, laughs and excitement in this film to satisfy even the most jaded.—**New York Daily Mirror.**

Inspirational . . . cause for much laughter throughout the film . . . Mickey Rooney gives a truly fine performance.—**New York Daily News.**

Young Rooney's Edison is a knowing and restrained piece of portraiture, while Fay Bainter and the other players in the film give it a persuasive texture of make believe . . . Honest biography has been sacrificed at almost every turn to catchpenny showmanship.—**Howard Barnes, New York Herald Tribune.**

The question we must face is insoluble: did Edison create Mickey Rooney, or is Mickey creating young Edison? . . . One thing is clear: Spencer Tracy as "Edison the Man" has a tough assignment ahead . . . Young Tom Edison is going to be a hard man to beat.—**Frank Nugent, New York Times.**

Mickey Rooney gave the role his most sober and restrained performance to date.—**Time.**

Mickey Rooney scores a decided triumph . . . an absorbing and heartwarming story . . . Understandingly directed by Norman Taurog, the picture has every element of genuine entertainment.—**New York Journal-American.**

Getting away from the "hypoed" climax, the film is a fascinating and generally accurate picture of the inventor's boyhood, with Mickey Rooney giving a sympathetic portrayal of the moody, questing youth who was to so greatly enrich the world.—**Henry T. Murdock, Philadelphia Ledger.**

When one reconciles oneself to the fact that the youthful Edison may, for all we know, have looked like Andy Hardy, the film becomes an acceptable and sometimes exciting opus which crosses somewhere between "Peck's Bad Boy" and "Tom Sawyer."—**Elsie Finn, Philadelphia Record.**

More Rooney than Edison . . . a warm tale of American boyhood.—**Laura Lee, Philadelphia Bulletin.**

"ROAD TO SINGAPORE" (Paramount)

Bing Crosby and Bob Hope do a lot to redeem an otherwise dull film . . . they brighten interludes of the show with merriment . . . Together they whip up amusement at almost any point when the plot is not tripping them up.—**Howard Barnes, New York Herald Tribune.**

Separately they're (Crosby and Hope) good, but together they're a riot . . . a blessed relief . . . naughty—but nifty.—**New York Daily News.**

The picture is tuneful and Miss Lamour, in excellent voice, never was more beautiful . . . Bob Hope's best job to date.—**New York Daily Mirror.**

Lots of fun and nonsense—a guaranteed cure for that low-down feeling and nothing much to think about once the picture's over.—**Lee Mortimer, New York Post.**

One of the most delightful wacky entertainments seen hereabouts in a long time . . . the story here serves as little more than the framework for a succession of hilarious lines and gags.—**Rose Pelswick, New York Journal-American.**

Its one and only purpose is to make you laugh and keep you entertained, and this it does from beginning to end with considerable gusto and glee.—**William Boehnel, New York World-Telegram.**

A happy, tuneful comedy about nothing at all . . . slaphappy nonsense, and, thanks to stars and songs, a nice picture for the holidays.—**New York Sun.**

"PRIMROSE PATH" (RKO)

Previewed before an amazed, even startled, but enthralled audience . . . by Ginger Rogers' remarkable and excellent performance . . . Personally, I enjoyed every moment of it.—**Jimmy Starr, Los Angeles Herald-Express.**

The censors may choose to shoot at "Primrose Path" . . . Ginger Rogers and Joel McCrea are very well cast . . . Drew an attentive interest from its audience because it is full of surprises.—**Edwin Schallert, L. A. Times.**

Gregory LaCava has done a magnificent job . . . On the whole a serious story . . . Don't ever underestimate Ginger Rogers' ability as a dramatic actress . . . It's Ginger at her best.—**L. A. Examiner.**

"THE EARL OF CHICAGO" (M-G-M)

Robert Montgomery gives a fine, moving performance . . . the film, somewhat confused as to purpose, turns out to be absorbing entertainment . . . worth seeing.—**William Boehnel, New York World-Telegram.**

An unusual gangster picture . . . Montgomery's performance is an excellent one and he is ably assisted by Edward Arnold and by Edmund Gwenn.—**New York Journal-American.**

To miss it would be to miss a major treat . . . a film to wonder at.—**Frank Nugent, New York Times.**

A deep and true study of characters, of which Montgomery's Kilmount is a brilliant and tragic one . . . fine cinema with an expert blending of light and heavy drama.—**New York Herald Tribune.**

The picture has a strong psychological hang-over from "Night Must Fall," and must be recommended if for no other reason than it is one of the most intelligent things to come out of Hollywood in a long time.—**Lee Mortimer, New York Daily Mirror.**

A fascinating story so deftly told that you have the feeling that you are reading an intriguing book you don't want to end but one which you can't put down till you have finished.—**Kate Cameron, New York Daily News.**

'Singapore' Hits $22,000, Los Angeles

LOS ANGELES, March 24.—"The Road to Singapore," plus a stage show at the Paramount, drew $22,000. "Strange Cargo" and "Young As You Feel" took $13,300 at the Chinese and $17,200 at Loew's State.

Estimated takings for the week ending March 20:

"Gone With the Wind" (M-G-M)
CARTHAY CIRCLE—(1518) (75c-$1.50) 7 days, 12th week. Gross: $14,500. (Average, $17,000)

"Strange Cargo" (M-G-M)
"Young As You Feel" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $13,300. (Average, $12,500)

"The Grapes of Wrath" (20th-Fox)
4 STAR—(900) (30c-55c) 7 days, 3rd week. Gross: $5,600. (Average, $3,250)

"My Little Chickadee" (Univ.)
"Music in My Heart" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $6,500)

"Strange Cargo" (M-G-M)
"Young As You Feel" (20th-Fox)
LOEW'S STATE—(2,500) (30c-65c) 7 days. Gross: $17,200. (Average, $14,000)

"My Little Chickadee" (Univ.)
"Music in My Heart" (Col.)
PANTAGES—(3,000) (35c-65c) 7 days, 2nd week. Gross: $6,300. (Average, $7,000)

"Road to Singapore" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Alvino Rey and orchestra. Gross: $22,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (75c-$1.50) 7 days, 12th week. Gross: $15,000.

"Three Cheers for the Irish" (W. B.)
"The Lone Wolf Strikes" (Col.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $7,600. (Average, $14,000)

"Three Cheers for the Irish" (W. B.)
"The Lone Wolf Strikes" (Col.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $8,200. (Average, $12,000)

JOHNNY APOLLO
. . . and no punches pulled!
20th Century Fox

U.A. Plans 30 Films Costing$29,000,000, 'Dictator' 1st Release

(Continued from page 1)

sound showmanship basis, the industry will continue to progress.

"If they fail to cooperate, well, a producer can wrap up his business and say, 'I'm through.' But an exhibitor can't do that with a theatre. It is up to the exhibitor to realize now that the foreign problems of the industry are just as much the American exhibitor's as they are the producer's and distributor's," Silverstone said.

The new U. A. schedule will include two David O. Selznick productions and a possible John Stahl production for James Roosevelt's Globe Pictures. The 30 new season productions represent an increase of four or five over the company's current season's releases.

Silverstone listed 11 pictures which will be released by the company dur-the balance of this season, among them Samuel Goldwyn's "The Westerner," which Silverstone described as "probably Goldwyn's finest production."

Hays and Silverstone In Meeting Today

Whether or not United Artists will rescind its resignation from the M.P. P.D.A. may depend upon a meeting between Will H. Hays and Maurice Silverstone, United Artists chief executive, which will be held today in advance of the annual meeting of the M.P.P.D.A. board of directors.

The United Artists resignation from the Hays organization still stands as of today. While the situation may change as a result of the meeting between Hays and Silverstone, the M.P.P.D.A. board, in any event, will take no action at today's session on the company's resignation. This is due to the fact that any agreement between Hays and Silverstone today, rescinding the resignation, would have to be submitted to the United Artists' board of directors for approval thereafter.

The M.P.P.D.A. board is scheduled to receive and accept the resignation of Maurice McKenzie, executive assistant to Hays for the past 17 years. McKenzie's resignation was tendered recently, effective April 1. Francis Harmon is slated to be named to the post being vacated by McKenzie.

The board will also receive the resignation of Educational Pictures Corp. from membership in the association, and that of Earle W. Hammons, Educational president, from the M.P.P.D.A. board of directors. The Educational resignation was tendered because the company no longer is active.

Hays will submit his annual report to the board, and directors and officers will be reelected.

Despite the absence from the city of several member company presidents, it is believed that sufficient alternates will be mustered to provide a quorum.

Among those who will be absent are George J. Schaefer, RKO president; Sidney R. Kent, 20th Century-Fox president, and Nicholas M. Schenck, Loew's president.

RADIO BREVITIES

Audience ratings of television shows gave the March 10 broadcast of the Metropolitan Opera concert a rating of 2.72, a survey revealed over the weekend. The rating of 2.00 is for good and 3.00 for excellent.

The opera figure is the second highest received thus far this year, being exceeded only by the telecast of "When We Are Married" which received 2.85.

Lowell Thomas, who is telecast simultaneously with his broadcast, received ratings of 2.48, 2.49 and 2.53 for his first three talks.

Lowest ratings went to "Homes of Today," a short film, which received 1.57. Average for the week was 2.11.

Educators to Meet Paley

At the invitation of William S. Paley, 14 leaders in educational and public life, members of the CBS Adult Education Board, will meet in New York April 8 with the network president. They will review CBS educational activities in the past year and discuss proposals for new educational programs.

Personalities in the News

Jerry Baker has landed a new commercial over WMCA with Stewart Warner sponsoring a song show beginning Tuesday, April 2. He will be heard Tuesdays, Thursdays and Saturdays at 2:30 P. M. . . . Sam Taylor will move his "Hollywood Sound Stage" over WHN tomorrow to a new time, 6:15 P. M. instead of 5:15. . . .

Gene Speck, of the NBC news and special events department, leaves today on a two week vacation. . . . John Steele, Mutual's London correspondent, and Waverly Root, Paris man, will shift to Wednesdays instead of Fridays for their alternating talks from Europe, effective April 3. . . .

Don E. Gilman, vice-president in charge of NBC's Western division, has been named to the board of directors of the Los Angeles Community Development Association. . . . Addison Armour has joined WCNW as announcer and director of choral singing.

WOV Seeks FM License

WOV is the latest Metropolitan station to have applied for an F.C.C. license to construct a 1,000 watt FM transmitter.

Radio Men Form Fraternity

The Static Club of Philadelphia, fraternal organization of radio men, has been organized. The membership comprises program and production managers, news and sports commentators, announcers and radio editors. Officers include William Lang, KYW, president; Mort Borow, WPEN, vice-president; Edward Mayer, WIP, recording secretary; Patrick Stanton, WDAS, treasurer; Powers Gouraud, WCAU, chairman of the board, comprising James Allen, WFIL; Joseph Hastings, radio columnist; Frederick Wood, WIP, and Mort Lawrence, WCAU.

Trout Show on 112 Stations

For the first time in the history of the network, all of the 112 CBS stations in the United States will be used to carry a commercial series when Pepsi-Cola starts sponsorship of the Bob Trout news series on April 30. He will be heard at 6 and 11 P. M. on Tuesdays, Thursdays and Saturdays with a rebroadcast for central and western states at 10:55 P. M. Trout will also be heard Mondays, Wednesdays and Fridays on a smaller network for Commercial Credit Co., starting today.

Air Plugs for "Biscuit Eater"

Paramount has lined up a large number of radio plugs in connection with the premiere of "The Biscuit Eater" at the Albany, in Albany, Ga., on April 11. Parks Johnson and Wally Butterworth will broadcast their "Vox Pop" show from Albany the night of the opening from Albany, over a nationwide CBS hookup. Mutual will also carry a show describing the premiere, while WSB, 50,000-watt station in Atlanta, will cover the Civic Pride parade locally.

WQXR Spot Rates Go Up

WQXR will boost its spot announcement rates from 33 to 50 per cent, effective April 1. The new schedule calls for $35 for one minute of "A" time, as compared with $25 previously, and $20 instead of $15 for "B" time. The basic rate of $250 per hour for "A" time remains the same.

Party Pledges End Of Canada Set Fee

TORONTO, March 24.—One of the planks in the platform of the National Government Party, headed by R. G. Manion, in the campaign for the Federal elections March 26 is the total elimination of the $2.50 annual license fee for the operation of a radio receiving set on the ground that it is a nuisance tax.

In rebuttal, C. D. Howe, Federal Minister of Transport in the Liberal Government, has announced that the Canadian Broadcasting Corp. could not continue to function without the fee which produces $3,000,000 of the $3,500,000 revenue for broadcasting, the balance being derived from commercial sponsors. Manion supporters have retorted that the country got along nicely before the CBC was established.

NBC to Build Three Television Stations

WASHINGTON, March 24.—Authority to construct new television stations at Washington, Philadelphia and Chicago have been asked of the F.C.C. by the National Broadcasting Company. Permits are also sought for high frequency broadcast stations at Washington, Cleveland, Chicago, Denver and San Francisco.

Al Myers Settlement

Al Myers, who charged that he was dismissed last June as manager of the Marine, Brooklyn, for union activities, and the Century circuit have settled their dispute. Myers, a TMAT member, is to receive $2,000. The agreement stipulates that Myers is not to be re-employed and that the circuit is not conceding any liability for back pay.

ASCAP Negotiations To Start on April 15

Negotiations between Ascap and radio broadcasters on the society's new contract are scheduled to begin April 15.

The negotiations will not affect the basic terms of the contract but are designed to establish a basis for exact classification of radio stations into the three income groups on which the new Ascap rates will be based.

The negotiations also will determine a formula for revising a station's classification upward or downward as its revenue increases or decreases.

The term of the new contract also will be discussed during the negotiations. Ascap is disposed to permit stations to select any term they desire between one and 10 years.

Defending its new contract in a statement issued over the weekend, John G. Paine, Ascap general manager, asserted that radio's revenue from advertisers has jumped from $25,000,000 annually in 1932 to $171,000,000 in 1939.

Broadcast Music, Inc., stated on Friday that the new Ascap contract "demonstrated the increasing need for the services of B.M.I." and would drive members into the new organization, which was formed by the broadcasters to develop a supply of popular music independent of Ascap.

The B.M.I. board elected Merritt E. Tompkins, general manager, to the post of vice president.

Unions Must Obey Contracts, Says W.B.

(Continued from page 1)

where they actually were needed for stage shows.

The road call was the result of pressure brought upon Browne by Joseph N. Weber, president of the American Federation of Musicians, following failure to effect a settlement.

I. A. officials here still maintain silence on the ultimatum, although the general feeling of the membership is that a walkout will be averted in some fashion before the deadline on April 1.

At the musicians' union, A. Rex Riccardi, secretary, maintained that the walkout would be no violation of the I. A. contract, in view of the A. F. of M. mutual assistance clause incorporated in all I. A. contracts.

5-Boro Managers Resign from TMAT

All managers and assistant managers of the Five Boro Circuit have decided to resign from the Theatrical Managers, Agents and Treasurers Union, they advised the union and the circuit by letter on Friday. Seven theatres are involved.

The letter stated that the employes do not wish the T.M.A.T. to act as the bargaining agent for them and that they wish to negotiate a contract with the employers direct.

Union officials said that the T.M. A.T. has a closed shop contract with Five Boro which still has a year and a half to run and that the employes' decision would have no effect. A spokesman for the circuit said that the employes apparently are dissatisfied with the union.

DO NOT REMOV

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

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Film and
Radio News
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Keep Theatre Affiliations, Hays Pleads

His Annual Report Raps Neely Bill Backers

Will H. Hays in his annual report to the M.P.P.D.A. board of directors yesterday offered a defense of affiliated theatre ownership and operation and criticized Neely bill proponents for their "misleading propaganda" on a phase of the measure which he says will subject production to censorship.

The annual meetings of the board of directors of the M.P.P.D.A. adjourned after the submission of the annual report, because of lack of a quorum, until April 3.

"Those who would use the hatchet and the saw of litigation or legislation," Hays asserted, "to sever the necessary economic relations of production, distribution and exhibition, instead of allowing them to be bettered through self-regulation, would be doing, if they succeeded, a sorry service to the American entertainment public, to the screen and to American industry generally."

Ownership of "a limited number of large and successful" theatres by producing and distributing companies, Hays declared, furnishes an economic requirement for constantly improving product.

"The fact that they can avoid a

(*Continued on page* 5)

10% Boost Enjoyed By Easter Grosses

The holiday weekend brought Broadway houses out of their Lenten slump with grosses going about 10 per cent above last year's holiday. Clear, cold weather aided the box-offices.

"Primrose Path," with stage show, got off to a good start at the Roxy where it garnered an estimated $30,000 for the first three days. At the Strand, "Virginia City" took an estimated $26,000 for the three days with George Olsen's band on the stage. The latter film will be held over.

Second week of "Road to Singapore," with Tommy Dorsey's band on the stage, rolled up an estimated $22,000 for Saturday and Sunday and should finish the stanza tonight with an estimated $50,000 at the Paramount. It will be held for four weeks. "Young Tom Edison," with stage

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20th-Fox Reports '39 Profits Slump; Net of $4,146,813

Twentieth Century-Fox Film Corp. yesterday reported net profit, after all income taxes, of $4,146,813 for the 52 weeks ending Dec. 30, 1939.

This compares with a net profit of $7,252,466 for 1938. Dividends from National Theatres for 1939 included in the figure amounted to $756,000, compared with $882,000 in 1938.

Profit for the fourth quarter of 1939 of 20th Century-Fox was $994,218, compared with $2,630,374 in the same period of 1938, and $827,069 in the third quarter of 1939.

National Theatres Corp. and its voting controlled domestic subsidiaries had a consolidated net income of $2,311,108 for 1939, compared with

(*Continued on page* 5)

RCA 'Politics' Cry Fights FCC Order

Charging that "pressure" and "politics" were behind the decision by the F.C.C. to re-open the question of television semi-commercial programs and the commission's rebuke to Radio Corporation of America for its marketing campaign for television sets, RCA officials yesterday prepared to battle the verdict at the April 8 hearing.

The company's notice of appearance will be filed within the next few days and a vigorous defense of the Com-

(*Continued on page* 8)

CONSENT PACT MAY OMIT DIVORCEMENT

Settlement of Trust Suit Gains Impetus; Clearing Final Obstacles

In the hope of achieving a quick victory in the New York anti-trust suit through the means of a consent decree on other points including block booking, the U. S. government is no longer insisting upon divorcement of theatres from distribution or production, it was authentically learned yesterday.

The U. S. government will be satisfied with a form of federal regulation which will include a system of arbitration to prevent alleged circuit abuses, it was indicated.

Largely instrumental in launching negotiations between the Justice department and the industry for a settlement of the suit on such terms has been the Department of Commerce. Commerce officials recently completed a report based upon an exhaustive study of the major operations.

A tentative form of a consent de-

(*Continued on page* 4)

Rodgers and Zukor Under Probe Today

William F. Rodgers, sales manager of Loew's, will testify today at a pre-trial examination in the Government's anti-trust suit. Adolph Zukor, chairman of the board of Paramount, is expected to follow Rodgers on the stand.

Union Defies Green On Film Delegates

St. Louis, March 25.—The A.F.L. Central Trades and Labor Union yesterday defied the order of President William Green of the American Federation of Labor and voted to seek delegates from the motion picture operators' union, Local 143.

Green, acting at the request of George E. Browne, president of the I.A.T.S.E., wrote the Central Trades, protesting the seating of delegates who are not recognized as members in good standing of the I.A. Green also said under no circumstances whatsoever can an individual represent a local organization unless the individual is a member in good standing of the international union.

"I must insist and demand the St. Louis Central Labor Union conform

(*Continued on page* 2)

All RKO Claims Are Filed, Reach Total of $1,732,984

Final applications for allowances for services rendered to RKO during reorganization proceedings totalled $1,732,984 as last minute petitions for $1,357,238 were filed in U. S. District Court yesterday.

The total is exclusive of any allowance which Federal Judge William Bondy may grant to Atlas Corp., proponent of the plan of reorganization, for its services but includes $875,037 asked by Atlas for expenses incurred. Judge Bondy is expected to fix a date for hearings within the next few days.

Atlas, by far the largest applicant, expressed a willingness to accept either cash or common stock for payment of both expenses and any amount which the court may fix as compensation for its services. The application did not petition for any fixed amount for services, but contented itself with leaving the figure to the court.

Second largest applicant who filed yesterday was William J. Donovan, attorney for the Irving Trust Co. which had acted both as receiver and trustee in seven years of court administration. Donovan, in two petitions, asked for a total of $188,659 of which $100,000 was asked for services to the trustee.

Application of the Irving Trust Co. for $95,000 as a final allowance was filed jointly with that of Donovan. According to the petitions, the Irving

(*Continued on page* 4)

Lynton Case Appeal Lost by Playwrights

Washington, March 25.—Affirming a decision by the Second Circuit Court of Appeals, the Supreme Court today held that in awarding to Edward Sheldon and Margaret Ayer Barnes one-fifth of the net profits of $587,604 made by M-G-M from the picture, "Letty Lynton," the lower court had granted them adequate compensation for infringement of their play, "Dishonored Lady."

In an opinion delivered by Chief Justice Hughes, the court disagreed with the contention of the playwrights that they were entitled to all of the profits made from the picture, holding that, as contended by the film company and accepted by the lower courts, the

(*Continued on page* 2)

Studios, Unions Fail To Fix Wage Parley

Hollywood, March 25.—Inability of both sides to arrange a meeting date is responsible for the indefinite postponement of negotiations between the studios and studio unions on the 10 per cent wage increase question.

Union Defies Green On Film Delegates

(*Continued from page* 1)

to this ruling which I have made and carry it out without reservation or modification," Green wrote.

It was brought out at the meeting by Joseph H. Ebeling, member of the pressmen's union, that an injunction issued by Circuit Judge Ernest F. Oakley restrained John Nick and Browne from interfering with the local's legitimate members and a violation of the decree "would place the central body and its membership in contempt of court."

Ignoring Green's command the members voted overwhelmingly to seat the delegates.

Meanwhile it was learned that members of Nick's faction have received new membership cards from the international office.

Lynton Case Appeal Lost by Playwrights

(*Continued from page* 1)

play had contributed only in part to the production and success of the film, much of which was due to the popular actors, scenery and expert producers and directors.

Even though the plagiarism involved was found to be deliberate and extensive, the court said, the compensation awarded the copyright proprietor should not be excessive, but "equity is concerned with making a fair apportionment so that neither party will have what justly belongs to the other."

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Purely Personal

MORT BLUMENSTOCK, director of advertising and publicity for Warners in the East, has returned from the Coast.

•

R. C. RODDICK, manager of the Capitol, Halifax, has returned to his post after an operation, and LARRY GRABURN, who substituted for him, has returned to his job at the Famous Players Canadian home office in Toronto.

•

MAJOR GENERAL J. O. MAUBORGNE, Chief Signal Officer of the U. S. Army, has arrived in Hollywood for his annual inspection of Signal Corps officers' training in film work at the studios under the guidance of the Academy Research Council.

•

ARTHUR MENKEN, Paramount cammeraman, is in Stockholm with a leg fracture suffered while covering the Russo-Finnish war. MENKEN, who is a New Yorker, went to Europe shortly after the war started.

•

MR. and MRS. ABE FISHMAN of Fishman Theatres, New Haven, have returned from Miami Beach. With them was MRS. PHILIP SASLAU, wife of an executive of the circuit.

•

ROBERT M. WEITMAN, managing director of the Paramount Theatre, left yesterday for a week's vacation in Miami. BEN GREIFER, house manager, is in charge during his absence.

•

J. P. MAXFIELD, director of commercial engineering of Erpi, led a discussion at the Massachusetts Institute of Technology yesterday, discussing auditorium acoustics.

•

MORRIS NUNES, head of Progressive Premiums, New Haven, and MRS. NUNES have left for a vacation in Florida and Havana.

•

JOHN A. SCHWALM, manager of the Rialto, Northio house at Hamilton, Ohio, has returned from a Florida vacation.

•

MITCHELL FRANKLIN, manager of the Matfair and Regent in St. John, N.B., has returned from Miami and Havana.

•

JOHN SHANNON, owner of the Shannon and Maxon in Portagesville, Mo., has returned from a vacation in Florida.

•

HERB GRIFFIN, vice-president of International Projector Corp., has returned to his office following a short illness.

•

MILTON JACOBS, M-G-M salesman in Columbus, O., is in the Grant Hospital in that city with an ear ailment.

•

GENE RAYMOND is in Springfield, Ill., for a recital this week with his wife, JEANETTE MACDONALD.

•

JOHN QUINN, M-G-M St. Louis branch manager, will leave for a Florida vacation on April 1.

•

MRS. T. J. JORDAN, theatre owner of Ellington, Mo., has left for a vacation in California.

•

BEN RHEINGOLD, 20th Century-Fox branch manager in St. Louis, is back from a vacation in the South.

M. J. SIEGEL, president of Republic Productions, has arrived from the Coast for home office conferences.

•

WILLIAM F. RODGERS, GRADWELL SEARS, MAURICE SILVERSTONE, BARNEY BALABAN, ARTHUR HOPKINS, JOHN HICKS, CHARLES E. MCCARTHY, A. P. WAXMAN, WILLIAM ORR, TED O'SHEA, GEORGE SKOURAS, ADOLPH ZUKOR, FREDERICK LANGE, INA RAY HUTTON and THOMAS MITCHELL at Nick's Hunting Room in the Astor for lunch yesterday.

•

GEORGE DEMBOW, LYNN FARNOL, MORT SPRING, ARTHUR LOEW, JOHN D. HERTZ, JR., WALTER HUSTON, and WILLIAM SAROYAN lunching at Sardi's yesterday.

•

EDDIE CANTOR will arrive from the Coast Thursday following a stop-over at Chicago. He is booked for a series of personal appearances in the East.

•

HARRY ARTHUR, ARTHUR LEE, GEORGE WEEKS, SAM CITRON, WILLIAM FITELSON, A. W. SMITH, HAL HORNE at Bob Goldstein's Tavern for lunch yesterday.

•

M. G. POLLER, head of RKO Radio's playdate department, is back at his desk following a two-week's vacation in Florida.

•

HARRY and JACK COHN, NATE SPINGOLD, ARTHUR GOTTLIEB and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

PAT REIS, secretary to HOWARD DIETZ at M-G-M, observes a birthday today.

Van Beveren Named Assistant to Miggins

W. E. Willems Van Beveren has been appointed assistant to Benjamin F. Miggins, European manager for 20th Century-Fox, with headquarters in Paris, and will sail with Miggins for Europe Saturday on the *Conte di Savoia.*

Robert A. Kreier remains as assistant European manager, in Paris. Van Beveren formerly was an executive of American Tobis Corp. and later was associated with John E. Otterson, former Paramount president, in Tri-National Films.

Keith Goldsmith, formerly manager for 20th Century-Fox in Singapore, has been transferred to Mexico City. He has been succeeded in Singapore by Joseph McElhinney, formerly a salesman for the company in the United States.

Sears Wins Skeet Prizes

Gradwell L. Sears, general sales manager for Warners, on Sunday captured the doubles handicap prize at the Westchester County Club skeet shoot at Rye, N. Y. In the singles, Sears tied for first place with C. Goudiss.

Gary Decision Delayed

CHICAGO, March 25.—Decision in the suit of Gary Theatre Co. against Balaban & Katz and the major distributors today was delayed until Friday.

Australia Business Pleases Michalove

Theatre business in Australia is keeping an even keel despite the war, reports Dan Michalove, assistant to Sidney R. Kent, president of 20th Century-Fox, who returned yesterday from Australia. He was gone six and a half months.

The proposed merger of H[illegible] the large Australian circuit, with Greater Union Theatres is progressing satisfactorily and is expected to be completed shortly, Michalove said. His trip to Australia was in connection with the amalgamation and was his second visit to that country in two years.

Production in Australia offers little competition to American companies, Michalove believes. Efforts of the studios to obtain Government support has resulted in loan subsidies from New South Wales of £52,000 (about $200,000) for five pictures, but American films will continue to supply most of the product for that market, he said. The subsidies have been criticized by Australian leaders as unnecessary.

In addition to currency restrictions, American film companies are faced with an exchange shrinkage in the Australian pound, which is now $3, a drop of about 22 per cent.

The war has resulted in a rise in Australian exports to England and increased industrial activity, including the establishment of an aviation industry, Michalove reported. This has helped business in general to maintain an even balance, but there has been no boom.

Zanuck, Kent Going To Chicago Parley

Darryl F. Zanuck, vice-president of 20th Century-Fox in charge of production, will arrive in New York early in April and will attend the company's annual sales convention in Chicago, April 12 to 14.

Sidney R. Kent, president, is scheduled to return from his vacation in Florida April 7 and will be a principal speaker at the convention. Joseph M. Schenck, chairman of the board, also may attend.

Herman Wobber, general sales manager, who is now on the Coast, will go from there directly to the convention, over which he will preside.

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EASTMAN NEGATIVE FILMS

RKO Claims Filed; Amount To $1,732,984

(*Continued from page 1*)

Trust has heretofore received $295,000 and Donovan the sum of $360,000 as attorney for the trustee and $160,000 while representing the receiver.

A number of other applications were also filed yesterday. A complete list of petitions for allowance which Judge Bondy will consider at the projected hearing are as follows:

Name of Applicant	Amount Sought
Atlas Corp. (Expenses and unfixed amount for services)	$875,037
William J. Donovan	188,659
Irving Trust Co.	95,000
John S. Stover	118,225
Lehman Brothers Corp.	76,772
City Bank Farmers Trust Co.	1,600
Delafield, Marsh, Porter & Hope	1,900
J. & W. Seligman Co.	8,750
Ernest Stirn	50,000
Six of Stirn's attorneys	72,686
Chemical Bank & Trust Co. and its attorneys	68,091
Marcus Heiman and his attorneys	57,500
Richard B. Scandrett	30,000
Price, Waterhouse Co.	4,800
Arthur K. Weber	2,500
White & Case	35,526
Committee of Unsecured Creditors	10,272
Kommel & Rosenberg	16,871
Central Hanover Bank & Trust Co.	16,250
Larkin, Rathbone & Perry	12,500

Atlas filed with its application a detailed statement of out-of-pocket expenditures which had totalled $875,037. The list set forth the payment of $300,000 to its attorneys, Simpson, Thacher & Bartlett; $163,277 to Rathvon & Co. Inc.; $106,250 to W. J. Merrill; $76,772 to Leo Spitz; $200,000 for salaries and overhead, and $28,736 for miscellaneous expenses.

Although Atlas studiously avoids naming an amount for its allowance, its petition refers to an agreement made in 1935 by Atlas with RCA under which the former was to receive $745,000 as compensation. The application states that this agreement was subsequently nullified, but that it is an indication of what a fair figure might be.

Consent Pact May Omit Arbitration

(*Continued from page 1*)

cree conforming to these stipulations has already been formulated.

Government officials and executives of major companies, busy discussing an agreement to settle the New York suit, are expected to meet in a few days to iron out the remaining obstacles.

The Government has been convinced, it is reported, that a system of arbitration is necessary in the motion picture industry, an idea entertained right along by the companies. For this reason, observers are confident that some form of arbitration will be embodied in any settlement plan which might be reached.

Two Firms Chartered

Albany, March 25.—Certified Film Producers, Inc., and Rend Amusement Corp., both formed in New York County, have been incorporated here. Certified Film was incorporated by Annette Gustafson, Blanche Gutlohn and Marjorie Roth, and Rend Amusement by Jacob Leff, Harry Gold and Lawrence Levin.

Critics' Quotes . . .

"IT'S A DATE" (Universal)

The loveliest Easter present that Hollywood could possibly have given to New York.—**Lee Mortimer, New York Daily Mirror.**

"It's a Date" is a delightful comedy . . . appropriately brightening the house for the Easter season. . . . Although this is not the best and brightest of the Durbin productions, Seiter has one a creditable job.—**Kate Cameron, New York Daily News.**

A joyous and utterly captivating film. . . . Under Mr. Pasternak's wise guidance, Miss Durbin's seventh picture is not only one of her best, but a show not to be missed.—**Howard Barnes, New York Herald Tribune.**

A practically compulsory rendezvous. It is, in the main, a charming, if highly improbable entertainment.—**New York Times.**

Few pictures have emerged, even during this brilliant season, that have afforded more genuine inspiration for laughter . . . It's just about as satisfactory entertainment as anyone might wish . . . A combination of geniality in dialogue, smart direction and almost perfectly timed portrayals.—**Edwin Schallert, Los Angeles Times.**

Deanna Durbin has added another accomplishment to her repertoire. She now acts as well as she sings, proving that she is one of our best dramatic actresses . . . "It's a Date" is easily her best picture.—**L. A. Examiner.**

No star in the fabulous history of Hollywood has ever enjoyed the privilege of having seven successive hits . . . Deanna Durbin has done the impossible . . . Highly amusing and suspense-filled.—**Jimmy Starr, L. A. Herald and Express.**

"PRIMROSE PATH" (RKO)

As balancing acts go, "Primrose Path" probably succeeds better than most at being faintly ribald, seamy-sided comedy which yet cautiously avoids giving more than a minimum of offense to the film industry's intra-and-extra-curricular censors. . . . It is skillful, clever and unreal.—**Frank S. Nugent, New York Times.**

The chances are slim that we will see a better screen achievement during the rest of this year. The chances are excellent meanwhile that "Primrose Path" will be fructifying the whole business of film-making long after most of 1940's offerings have been forgotten and outmoded.—**Howard Barnes, New York Herald Tribune.**

LaCava's direction is capable but somehow the whole thing seems unnecessary to me, but well done.—**Wanda Hale, New York Daily News.**

Although the picture tends to go overboard at times with too much dialogue and sordidness, a fine directing job and consistently superior acting carry it over the rough spots.—**Lee Mortimer, New York Daily Mirror.**

Early Prayers Save Overtime Programs

Lincoln, Neb., March 25.—Holy Week is past, and Jack Hitchcock, KFOR announcer, who handled each day's church session on 15-minute programs, consisting of pastor and choir from different pulpits, is happy. When the clergy created an overtime problem, Hitchcock made a rule, which he quoted before the program started in each case:

"Pray early in the program. It's embarrassing for me to break into one with 'Sorry, that's all the time we have. This is KFOR, Lincoln'."

Billboards Upheld In Theatrical Areas

Restrictions on areas where billboards may be used in New York City were recommended in the second annual report of the City Planning Commission.

Although the Commission pointed out that such signs serve a useful function in the theatrical district and did not recommend any curb in that section, neighborhood houses in residential areas would be affected under the ban.

The Commission proposes that billboards be restricted in certain business and retail areas and eliminated in residential sections.

SMPE Convention Is Set for April 22

The annual Spring convention of the Society of Motion Picture Engineers will be held April 22-25 at Haddon Hall, Atlantic City. Convention plans are being formulated by E. A. Williford, president; W. C. Kunzmann, convention vice-president; J. I. Crabtree, editorial vice-president, and Sylvan Harris, chairman of the papers committee.

A variety of technical papers will be read. The opening day's session will feature an address on "The General Outlook for Television," by Thomas F. Joyce, vice-president and advertising director for RCA Manufacturing Co.

The semi-annual banquet will be held in the Rutland Room of the hotel on April 24. Harry Blumberg of Philadelphia, is chairman of the arrangements committee in Atlantic City.

40 Papers Are Billed At Operators Parley

Louisville, Ky., March 25.—Nearly 40 technical papers covering the entire range from projection, sound, theatre developments, film emulsions and lighting to television and frequency modulation, will be read at the annual convention of the Stage Employes and Motion Picture Operators' Unions here on June 3. Among the speakers will be F. H. Richardson of the Quigley Publishing Co., who will discuss "Advancement in Projection Practice."

RKO '39 Operations Show $186,494 Loss

Net loss of $186,494 is estimated for RKO's 1939 operations in the final report of Irving Trust Co. as RKO trustee, which was filed with U. S. District court here yesterday.

The estimate is after all charges but before provision for the current dividend of $7 per share on the 42,543 shares of Keith-Albee-Orpheum preferred. The estimate includ the $400,000 non-recurring charge on a lease settlement and $392,777 for film inventory adjustments due to the European war.

For 1938, the company reported net profit of $18,604.

The RKO theatre subsidiaries showed net profit of $1,234,523 for 1939 before interest of $269,215 on indebtedness to the parent company, but after all other charges and $400,000 of non-recurring expense from a lease settlement.. Theatre company profit for 1938 was $1,204,293 before interest of $307,519 interest on indebtedness to RKO.

The picture company's loss for 1939 is estimated at $545,126 before accrual of $1,086,316 interest on indebtedness to RKO. It includes, however, an "extraordinary write-off" of $392,777 because of war conditions and a "book loss" on foreign exchange $116,000 greater than in 1938.

The picture company's net loss in 1938 was $189,474 before interest of $1,058,079 on indebtedness to the parent company.

RKO Pathe News showed net profit of $97,292 last year, compared with net of $97,199 for 1938.

Gross income for 1939 was $51,451,223, of which $23,001,078 was from theatre admissions and $25,625,822 was from film rentals and sales. Cost of film sales and services was $21,952,110; operating and general expenses, $8,625,516, and film service, $6,243,302.

Total current and working assets were $18,954,875, of which $7,073,160 was cash and $9,660,401 was in picture inventories. Total assets amount to $71,073,231. Current liabilities were $13,794,394.

Bioff Appeal Plea Delayed to April 8

Chicago, March 25.—The hearing on a plea for an appeal by William Bioff, Coast I.A.T.S.E. leader, before the Supreme Court of Illinois, today was postponed until April 8 because of the illness of Chief Justice Francis S. Wilson.

At the same time, Chief Justice Prystalski of Criminal Court granted Bioff a two-week stay on his return to jail to allow additional time for the appeal to be heard.

Harris' Father Dies

Funeral services were held Thursday for Morris C. Harris, 71, father of Dave Harris of the field service staff of Quigley Publications. Burial was at Mt. Hebron Cemetery, Flushing, L. I.

Eastman Wage Dividend

Rochester, March 25.—The Eastman Kodak Co. today paid $2,362,331 in an annual wage dividend to 30,934 employes. The amount is an increase of $217,997 over the payment of last year due to the increase of personnel.

Keep Theatre Affiliations, Hays Pleads

(*Continued from page* 1)

double loss, in exhibition as well as production, only by pictures that please the public," Hays said, "is an incentive for substantial investment, more employment and greater enterprise in the industry."

The report does not mention by name either the pending Government anti-trust suit, which seeks divorcement of affiliated theatres, or the Neely bill.

On the latter subject, he called it "ironic" that, in the face of production's record of improvement through self-regulation, "there should be any insistence on a subterfuge potentially more vicious than any form of outright censorship."

"The new censorship movement," Hays said, "parades under the name of 'community selection', except that self-appointed censors, not the community, are to do the selecting. What is now urged through misleading propaganda is really selection without the consent of the community.

"It would be group selection exercised before, not after, pictures had been offered to the public, and before public taste and public opinion had an opportunity to assert themselves. Under whatever name this is glossed, such a method would set up an irresponsible censorship by pressure groups."

The report made many references to the economies which have been effected in the industry in the past year because of shrinking world markets and foreign revenue. At one point Hays cautioned against any feeling of complacency or the assumption that all economies that must be made have been made in the industry.

He also asserted that the industry still has to complete many details of self-regulation, particularly in the field of trade practices.

His report used a weekly theatre attendance estimate of "more than 80,000,000." A year ago the Hays organization was using an attendance estimate of 85,000,000 weekly.

The report commended producers for maintaining production standards in the face of losses of revenues abroad and economy requirements at home and cited numerous outstanding pictures of the past year as examples of what is being accomplished.

Hays also asserted that films have played an important part in shaping public opinion in support of American peace policies.

Repairs on Lincoln House Cost $65,000

LINCOLN, Neb., March 25.—Bids have been opened here for $65,000 worth of improvements on the Liberty, which will increase the seating of the Nebraska Theatres, Inc. property from 900 to 1,100. Fireproofing this old landmark and modernizing the interior will take until about June.

Built in 1892, the Liberty is an old legitimate house. The stage will be removed to make room for the extra seats. The gallery will be eliminated, but the balcony will remain.

20th-Fox Reports '39 Profits Slump; Net of $4,146,813

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$2,617,653 for 1938. Twentieth Century-Fox's 42 per cent interest in National Theatres Corp. indicates an interest in these earnings of $970,665.

The film company paid dividends on the preferred stock in 1939 of $1.50 per share and on the common stock of $1 per share. Total dividends paid amounted to $3,137,834.

Outstanding capital at Dec. 30, 1939, comprises 926,214 shares of preferred and $1,741,991 shares of common. After deducting dividends on the preferred, the balance of earnings for 1939 amounted to $1.58 per share on the common outstanding.

The report shows net assets in foreign countries owned by the parent company or subsidiaries of $6,638,197, of which $3,737,757 represents the company's indirect investment in Gaumont British Picture Corp., Ltd.

The balance of $2,900,440 is represented by other assets in foreign countries, comprising chiefly the assets of the distributing units in various countries.

The consolidated balance sheet of the company shows current assets of $30,881,390 as of Dec. 30, 1939, including cash of $8,127,384, as against current liabilities of $4,515,240. Inventories decreased during the year by $1,413,729.

Regarding the effect of the foreign situation on the company, Sidney R. Kent, president said:

"During 1939 in most of the important countries little difficulty was had in converting the greater part of foreign net revenues into dollars. However, due to the outbreak of further hostilities abroad and the subsequent establishment of more stringent currency regulations in all important foreign countries with respect to the transfer of foreign to United States currency, all current assets in foreign countries may be generally regarded, for a substantial part thereof, at least, as not available in the ordinary course of business for use in the corporation's operations in the United States. This situation is becoming increasingly burdensome and constitutes a serious problem."

Roxy Theatre 53-Week Surplus Put at $73,043

Roxy Theatre, Inc., wholly owned subsidiary of 20th Century-Fox Film Corp., reports earned surplus for the 53 weeks ending Aug. 31, 1939, of $73,043.76. Theatre receipts from admissions for the period amounted to $1,889,981.81. The surplus figure compares with an earned surplus on Aug. 25, 1938, of $55,578.

Kalmenson on Tour; Roy Haines Returns

Ben Kalmenson, Western and Southern sales manager for Warner Bros., is on a trip conferring with branch managers on the Sears Drive. During his two-week trip he will visit Chicago, Kansas City and Dallas, among others.

Roy Haines, Warner Eastern and Canadian sales manager, returned yesterday from a week's trip to the company's offices in Albany, Buffalo, Cincinnati and Pittsburgh.

Peanuts!

Ousted from Theatre For Eating Them, Patron Sues

ST. LOUIS, March 25.—The question of how far theatre employes may go in stopping patrons from eating peanuts was raised last week in Circuit Court. However, the judge dismissed the suit before the jury could decide the issue.

Ervan Craft filed a $5,000 damage suit against the management of the Senate, downtown second run. He said he suffered nervousness, humiliation and embarrassment when he was asked to leave the theatre with his wife and son because the boy was eating peanuts.

He testified an usher warned him twice to keep the lad from eating peanuts and finally ordered the family to leave. Craft said he and his family left, but failed to obtain a refund from the ticket office. He said the boy only ate 10 peanuts and put the hulls in the bag.

After Judge James McLaughlin had dismissed the case, one of the jurors said he thought Craft was entitled to a refund of 40 cents.

100 Honor Pasternak At Variety Luncheon

PHILADELPHIA, March 25.—Joseph Pasternak, Universal producer, was honored at a luncheon today by the Variety Club upon his arrival from the Coast en route to New York.

About 100 attended, including Lou Pollack, Eastern advertising and publicity head for Universal; Jay Emanual, chief barker of the Variety Club; Mrs. Edna R. Carroll and John Clyde Fisher, members of the state board of censors; David Weshner, of Stanley-Warner, and George Schwartz, Universal branch manager.

In a brief speech, Pasternak recalled that when he had come to the United States 19 years ago, he was given his first job in Philadelphia. His employer at that time was among the luncheon guests. Pasternak revealed that the next Deanna Durbin vehicle will be "Spring Parade."

Bingo Test Case April 1

BUFFALO, March 25.—District Attorney Leo J. Hagerty has scheduled the long-awaited Bingo test case for trial April 1 before Judge George H. Rowe in county court. Defendant is Old Vienna, Inc., operators of the old Gayety, charged with violating a section of anti-gambling laws in connection with the operation of Bingo games.

Miles Joins Lloyd

HOLLYWOOD, March 25.—John Peere Miles, last publicity director for Samuel Goldwyn, today joined Frank Lloyd Productions, Inc., in a similar capacity. Lloyd is now producing "Tree of Liberty" for Columbia.

Pathe Votes Dividends

The board of directors of Pathe Film Corporation has declared a regular quarterly dividend of $1.75 per share on the $7 convertible preferred stock, payable April 1, 1940 to stockholders of record March 26.

Exhibitor Arrested For Film Ad Stunt

BUFFALO, March 25.—Garson M. Jaffa, manager of a theatre at Cortland, N. Y., near Syracuse, has been arrested on charges of publishing untrue, misleading and deceptive advertisements in connection with the publicizing of a film on prison life.

The ads, appearing in a newspaper personal column, ostensibly offered convicts the services of an expert in gaining paroles. Maj. Frank I. Hanscom, executive officer of the N. Y. State Parole Board, vigorously assailed the publicity stunt. He declared:

"Their insertion, we believe, is a violation of Section 481 of the penal law, which concerns fraudulent advertising and carries a penalty as a misdemeanor."

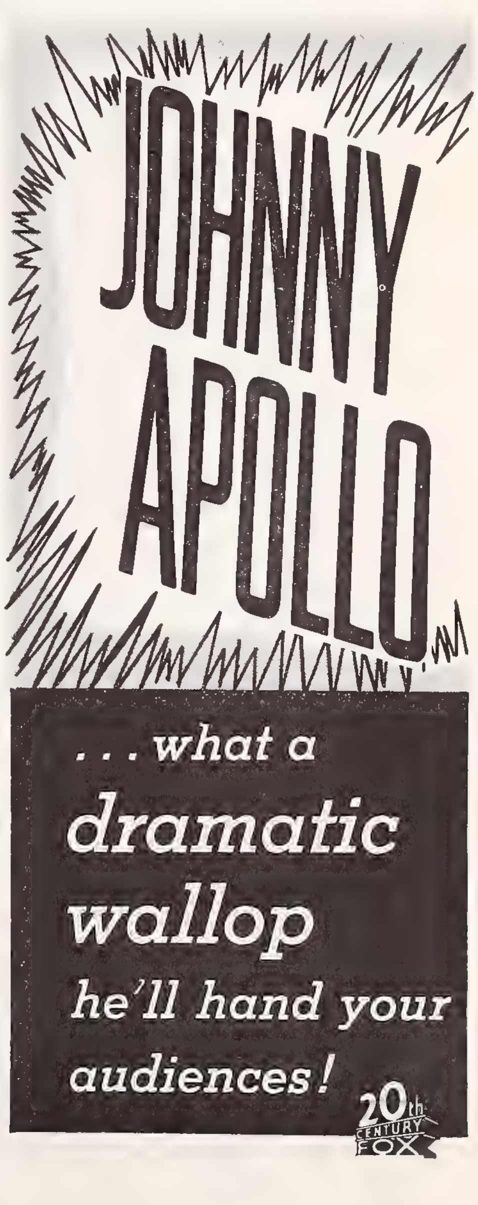
Jaffa was arraigned before Judge Donald W. J. Yager, and pleaded not guilty. No trial date has been set.

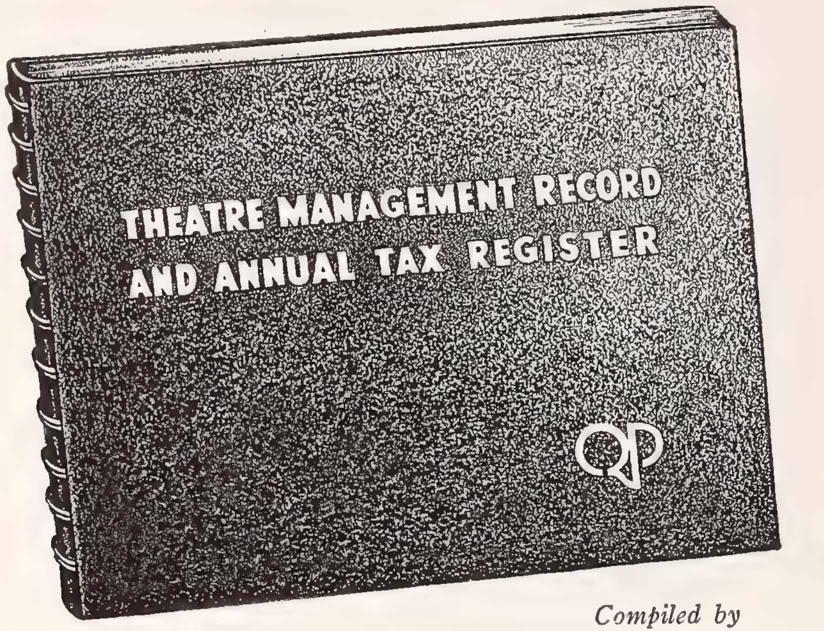
10% Boost Enjoyed By Easter Grosses

(*Continued from page* 1)

show, grossed an estimated $60,000 for the first four days of the second week at the Music Hall. "Rebecca" will follow on Thursday.

In its 14th capacity week at the Astor, "Gone With the Wind" drew an estimated $22,000. "Castle on the Hudson" grossed an estimated $5,600 in its third week at the Globe and "Human Monster" started on Saturday. At the Rialto, "Millionaire Playboy" drew an estimated $5,500 in six days and was replaced on Thursday by "Black Friday."


JOHNNY APOLLO
. . . what a dramatic wallop he'll hand your audiences!
20th CENTURY FOX



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SHORT SUBJECT REVIEWS

"Jack Pot"

(*M-G-M*)

Punch-packed, thrilling and entertaining, this "Crime Does Not Pay" subject describes how a large city's crime empire is built on gambling slot machines. Starting with the nickels and dimes poured into the "iron men" in corner drugstores, the racket pyramids into a big business octopus that ensnares supposedly reputable city officials and leaves murder and havoc in its wake. This film will open the eyes of many who condone the "harmless games." Roy Rowland directed a large and capable cast. Running time, 19 mins.

"Seattle, Gateway to The Northwest"

(*M-G-M*)

The color camera of James A. FitzPatrick describes this Gem City of the Pacific Coast with his usual thoroughness. Included is the story of the growth of Seattle from a village to its present status as a lumber and aviation center, set in the midst of a scenic wonderland. Well done from every angle. Running time, nine mins.

"Home on the Range"

(*M-G-M*)

Hector, a playful calf of the lone prairie, is introduced by Hugh Harman in this color cartoon. He well may become a standard character; he is that likeable a little chap. Hector prefers to roam away from his mother and frolic with his friends of the forest, but almost falls prey to villainous Mr. Wolf, from whom he escapes after hair-raising adventures. Running time, nine mins.

"The Big Premiere"

(*M-G-M*)

Chased by a cop from a de luxe premiere at the Carthay Circle, the kids of Our Gang make their own "fillum" and stage their own "premeer," in Spanky's barn. A thoroducers and actors in their own picture, the youngsters are always funny, and grownups will have a lot of fun watching them. Running time, 10 mins.

"A Door Will Open"

(*M-G-M*)

Of all Carey Wilson's subjects on supernatural phenomena, this is perhaps the strangest. A young composer, struggling for recognition, is given his first encouragement by the spirit of his dead landlady, which leads him to success. Years later, when defending a plagiarism suit which threatens his career, the composer is guided by the spirit to an inexplicable solution to his worries. Absorbing and intriguing, the film is bound to create comment. 11 mins.

"The Domineering Male"

(*M-G-M*)

Prof. Pete Smith, with hilarious humor, here presents a course on how to ensnare the male while making him think he is the aggressor. Both sexes will find the film enlightening and funny. A blond at a party meets the man of her dreams—he has a bank account—and forthwith sets her cap for him. She has some narrow escapes, but finally lands the fish. This is Johnny Hines' first effort at script writing and directing. Running time, 10 mins.

Miss Steber, Kent Win Met Auditions

Eleanor Steber, soprano, and Arthur Kent, baritone, were named winners of the Metropolitan Opera "Auditions of the Air" by Edward Johnson, director, during a nationwide hookup on Sunday. The event marked the end of the fifth 26-week series in the talent hunt for new operatic talent.

The winners received $1,000 each, bronze plaques and places in the Metropolitan Opera Co. Emery Darcy, tenor, was awarded a fellowship of $500. Among those in the audience of 1,500 were Lily Pons, Rose Bampton, Giovanni Martinelli and Bruna Castagna.

Air Religious Music

CBS will present a special broadcast of ancient liturgical music with the Vatican choristers featured on Sunday at 2 P. M. in a pickup from Rome. Brief accounts of the religious sections and interpretation of the Latin phrases will be used in the music.

Songwriters Meet Today

Annual meeting of the Songwriters' Protective Association will be held at the Hotel Astor at 2:30 P.M. today. Election of officers, report of the president, Irving Caesar, and discussion of relations with music publishers are scheduled.

Six New Films Win Legion's Approval

The National Legion of Decency has approved six of the seven films reviewed and classified for the current week. Three were found unobjectionable for general patronage, three unobjectionable for adults and one was condemned.

Class A-1, Unobjectionable for General Patronage—"It's a Date," "Oh Johnny, How You Can Love," "Viva Cisco Kid." Class A-2, Unobjectionable for Adults—"Free, Blonde and Twenty-one," "Men Without Souls," "The Outsider." Class C, Condemned—"Strange Cargo."

Hays Postpones Silverstone Talks

The meeting between Will H. Hays and Maurice Silverstone, United Artists chief executive, which had been scheduled for yesterday to discuss the company's resignation from the M.P.P.D.A., was postponed because of the pressure of other engagements on the part of both. The meeting is expected to be held in several days.

Extend Museum Showing

The Museum of Modern Art is holding two showings daily this week of its film program, "A Short History of Animation," to accommodate children on Easter vacation from school.

31 Films Now Shooting as 11 Are Finished

HOLLYWOOD, March 25.—Eleven pictures finished last week and seven started, to bring the total of productions before the camera to 31, four less than last week. Nineteen are being prepared and 63 are being edited.

Busiest lot is M-G-M where six are shooting. Next is Warners with five.

Columbia

Finished—"Dead Man's Isle."

In Work—"The Lone Wolf Meets a Lady," untitled western.

M-G-M

Finished—"Two Girls on Broadway," "Andy Hardy Meets a Debutante."

In Work—"Waterloo Bridge," "Pride and Prejudice," "The Mortal Storm," "20 Mule Team," "Susan and God," "Boom Town."

Monogram

Finished—"Tomboy," "Pals of the Purple Sage."

Started—"Cowboy from Sundown."

Paramount

In Work—"The Ghost Breakers," untitled Henry Aldrich, "North West Mounted Police."

Started—"I Want a Divorce."

RKO

In Work—"Tom Brown's School Days," "Anne of Windy Poplars."

Started—"The Villain Still Pursued Her."

Republic

Finished—"Covered Wagon Days."

In Work—"Women in War."

Started—"The Crooked War," "Gaucho Serenade."

Roach

Finished—"Turnabout."

Small

In Work—"South of Pago Pago."

20th Century-Fox

Finished—"Lillian Russell," Untitled "Cisco Kid."

In Work—"Maryland," "Million Dollar Diamond," "The Young People."

Universal

Finished—"I Can't Give You Anything But Love, Baby."

In Work—"If I Had My Way," "Ski Patrol."

Wanger

Started—"Personal History."

Warners

Finished—"Flight Eight."

In Work—"The Sea Hawk," "All This and Heaven, Too," "Torrid Zone," "Brother Orchid."

Started—"The Life of Knute Rockne."

Sound Men Negotiate

HOLLYWOOD, March 25. — Sound Technicians, Local 659, I.A.T.S.E., which last week made demands for what amounts to 54 hours' pay for a 42-hour week on independent studios and sound service organizations, today continued its bargaining with companies. Several companies are reported to have signed contracts, but this could not be confirmed.

Buzzell Acquitted

LOS ANGELES, March 25.—J. W. Buzzell, vice-chairman of the American Federation of Labor Conference of Studio Unions, was acquitted of a charge of reckless driving today.

Horror Dual Good But Providence Off

PROVIDENCE, March 25.—Grosses were down here because of Holy Week and the opposition of the Europeon Ice Revue at the Rhode Island Auditorium. The only good business was at the RKO Albee, where "House of the Seven Gables" and "Black Friday," drew $7,200.

Estimated takings for the week ending March 20-21:

"House of the Seven Gables" (Univ.)
"Black Friday" (Univ.)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $7,200. (Average, $6,000)

"The Man from Dakota" (M-G-M)
"Men Without Souls" (Col.)
LOEW'S STATE—(3,232) (25c-35c-50c) 7 days. Gross: $9,500. (Average, $11,000)

"Three Cheers for the Irish" (W. B.)
"Calling Philo Vance" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $7,000)

"The Farmer's Daughter" (Para.)
"The Fatal Hour" (Mono.)
STRAND—(2,200) (25c-35c-50c) 7 days. Gross: $4,200. (Average, $6,000)

"Honeymoon Deferred" (Univ.)
FAY'S — (1,800) (25c-35c-40c) 7 days. Stage show with Naitto Family: Valentine Vox and Ruth Denning; Paul Kirland Co.; Banks & Fay; and Gregory & Raymond. Gross: $4,600. (Average, $6,500)

"Strange Cargo" (M-G-M)
"The Ghost Comes Home" (M-G-M)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $3,500)

"Congo Maisie" (M-G-M) (3 days)
"Charlie McCarthy, Detective" (Univ.) (3 days)
"Vigil in the Night" (RKO) (4 days)
"The Housekeeper's Daughter" (U. A.) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,500. (Average, $1,700)

Holy Week Causes Slump in Montreal

MONTREAL, March 25.—The poorest box-office period of the year, Holy Week, found "Gone With the Wind" playing to $12,000 for its fifth and final week at Loew's. "Little Old New York" grossed $4,600 at the Palace for the top showing among regular runs, while "Swiss Family Robinson," on a double bill at the Capitol, accounted for $4,200.

Estimated takings for the week ending March 22:

"Swiss Family Robinson" (RKO)
"The Saint's Double Trouble" (RKO)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $4,200. (Average, $8,000)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (75c-$1.13) 7 days, 5th week. Gross: $12,000. (Average, $8,000)

"Cavalcade" (20th-Fox)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $1,600. (Average, $5,000)

"Little Old New York" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $4,600. (Average, $10,000)

"The Earl of Chicago" (M-G-M)
"Fast and Furious" (M-G-M)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days, 2nd week. Gross: $2,900. (Average, $5,500.

Omaha Gives 'Rat' $6,000, Others Off

OMAHA, March 25.—"Brother Rat and a Baby" pulled $6,000 at the Omaha for the best of a mediocre week. Bad weather combined with pro hockey playoffs to hurt theatre business.

Estimated takings for the week ending March 20-21:

"Three Cheers for the Irish" (RKO)
"Blondie on a Budget" (Col.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $3,800. (Average, $4,000)

"Brother Rat and a Baby" (W. B.)
"Free, Blond and 21" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,000. (Average, $6,000)

"The Light That Failed" (Para.)
"He Married His Wife" (20th-Fox)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,500. (Average, $7,200)

'Melody' Hits $9,000, High In Twin Cities

MINNEAPOLIS, March 25.—Unseasonable weather and the pre-Easter activity had an adverse effect on box-office receipts in the Twin Cities.

Best business in Minneapolis was done by "Broadway Melody of 1940" at the State, where the picture grossed $6,000. In St. Paul the same picture was high grosser at the Paramount with $3,900. "Seventeen" did well in both cities, with $5,200 at the Minneapolis Gopher and $3,400 at the St. Paul Rivera.

Estimated grosses for the week ending March 22:

Minneapolis:

"Knights of the Range" (Para.)
"Young as You Feel" (20th-Fox)
"Little Orvie" (RKO)
"Outside the Three Mile Limit" (Col.)
ASTER—(900) (15c-25c) 7 days, dual bills, split week. Gross: $1,500. (Average, $1,500)

"Grapes of Wrath" (20th-Fox)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,200. (Average, $4,000)

"Chump at Oxford" (U. A.)
ESQUIRE—(290) (25c-40c) 7 days, 2nd week. Gross: $1,000. (Average, $1,000)

"Seventeen" (Para.)
GOPHER—(990) (25c) 8 days. Gross: $5,200. (Average, $2,500)

"Vigil in the Night" (RKO)
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $5,300. (Average, $4,500)

"Broadway Melody of 1940" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $6,000. (Average, $4,000)

"Green Hell" (Univ.)
WORLD—(400) (25c-55c) 7 days. Gross: $1,600. (Average, $1,600)

St. Paul:

"Vigil in the Night" (RKO)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $3,300. (Average, $3,200)

"Broadway Melody of 1940" (M-G-M)
PARAMOUNT—(2,500)(25c-40c) 7 days. Gross: $3,900. (Average, $4,400)

"Seventeen" (Para.)
RIVIERA—(1,000) (25c) 7 days. Gross: $3,400. (Average, $1,800)

"Saint's Double Trouble" (RKO)
"Missing Evidence" (Univ.)
"Man Who Wouldn't Talk" (20th-Fox)
"Fugitive at Large" (Col.)
TOWER—(1,000) (25c) 7 days, dual bills, split week. Gross: $1,700. (Average, $1,600)

"Green Hell" (Univ.)
WORLD—(1,000) (25c) 7 days. Gross: $1,200. (Average, $1,000)

'Invisible' and Acts Top Kansas City Lull

KANSAS CITY, March 25.—"The Invisible Man Returns," plus a stage show, gave the Tower the best showing, $6,200 in a poor pre-Easter week for first runs. "Three Cheers for the Irish" and "Slightly Honorable" drew $4,700 at the Orpheum. The weather was mild.

Estimated takings for the week ending March 19-21:

"The Grapes of Wrath" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $2,500)

"The Man from Dakota" (M-G-M)
"Blondie on a Budget" (Col.)
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $7,400. (Average, $9,500)

"The Sidewalks of London" (Para.)
NEWMAN—(1,900) (25c-40c) 6 days. Gross: $5,100. (Average, 6 days, $6,400)

"Three Cheers for the Irish" (W. B.)
"Slightly Honorable" (U.A.)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $4,700. (Average, $5,000)

"The Invisible Man Returns" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Hullabaloo, with Danny & Edith, George West, Stalac Bros. & Pearl, Guy Cherney. Gross: $6,200. (Average, $6,000)

"The Grapes of Wrath" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $3,500)

Seattle's Holdovers Keep Grosses Down

SEATTLE, March 25.—"Young Tom Edison" and "Charlie Chan in Panama" led here with $7,600 at the Paramount. Holdovers held down grosses generally, but the Palomar, with "British Intelligence" and a stage show, drew $5,100. The weather was fair and warm.

Estimated takings for the week ending March 22:

"Northwest Passage" (M-G-M)
BLUE MOUSE — (950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,100. (Average, $4,000)

"Grapes of Wrath" (20th-Fox)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $6,400. (Average, $7,000)

"The House Across the Bay" (U. A.)
LIBERTY—(1800) (25c-40c-55c) 7 days, 2nd week. Gross: $4,000. (Average, $5,000)

"Broadway Melody of 1940" (M-G-M)
"Emergency Squad" (Para.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,600. (Average, $4,000)

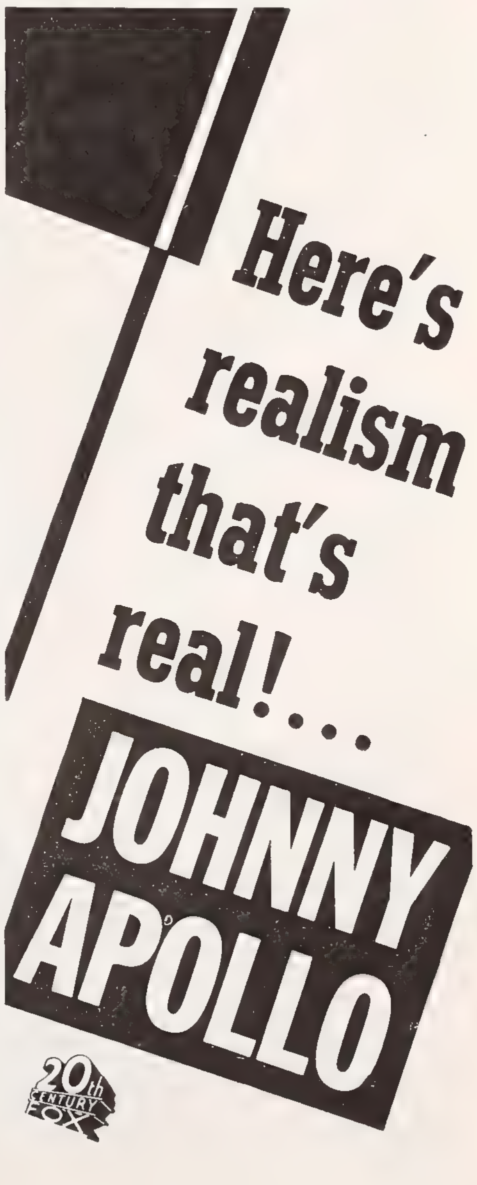
"Slightly Honorable" (U. A.)
"Seventeen" (Para.)
ORPHEUM — (2450) (25c-40c) 7 days. Gross: $5,000. (Average, $6,000)

"British Intelligence" (W. B.)
PALOMAR—(1500) (20c-25c-40c) 7 days. Stage: Harry Owens' Royal Hawaiian Band and Entertainers. Gross: $5,100. (Average, $5,000)

"Young Tom Edison" (M-G-M)
"Charlie Chan in Panama" (20th-Fox)
PARAMOUNT—(3050) (25c-40c) 7 days. Gross: $7,600. (Average, $6,000)

Majestic Reorganization

CHICAGO, March 25.—A reorganization plan for Majestic Radio & Television Corp. has been filed in Federal Court, which provides for $165,000 of new capital and continued use of the name Majestic by the reorganized company. Unsecured creditors would be paid in new preferred stock and stockholders would be given rights to new debentures and common stock.



Radio Brevities

A NEW distance record for television, reception approximately 250 miles away, was achieved on Easter Sunday. W2XBS, NBC station in New York, transmitted two Easter services, one Protestant and the other Catholic.

The General Electric station near Schenectady picked up the signal and re-transmitted it. In a weather observatory atop Whiteface Mountain, third highest peak in the Adirondacks, three scientists and a party of observers saw and heard the services.

The G. E. station, incidentally, is now re-transmitting all W2XBS programs on weekends and is expected to announce a regular schedule within the next few months.

'Father of Wireless' Dies

Edouard Branly, known in France as the "father of wireless," died Sunday at the age of 76 in his Paris laboratory.

New Television Shows

Two new television shows are planned which should have considerable interest. On Friday, March 29, A. Finkenberg's Sons, furniture dealers, will sponsor a documentary history of their store. In April, an intercollegiate debate will be televised with the speakers using diagrams and blackboards to illustrate their talks.

10,200 Visited New Studio

New studios of WIRE, Indianapolis, were visited by more than 10,200 persons during the first week of operations, studio officials declare.

Personalities in the News

Oscar Levant, musical expert on "Information, Please," will be guest on Bing Crosby's "Kraft Music Hall" over NBC-Red at 10 P. M. on Thursday. Errol Flynn and Brenda Marshall will also be guests on the same show. . . . Kenneth Clayton, theatre columnist for the Des Moines Register and Tribune, and his wife have been signed for a series of 15-minute programs over KRNT, Des Moines. Sponsored by Tri-State Theatres, the program will feature comments on films. . . . Ed Linehan, program director for KRNT-KSO, is the father of a baby daughter, Elizabeth Ann. . . .

Robert C. Mayo of the WABC sales staff, is engaged to marry Miss Barbara Jacobs. . . . "Barnacle Bill," radio entertainer, and L. Almuller, World-Telegram photographer, will be guests of Mary Moriarty, on "Let Your Hair Down" over WMCA Saturday at 9 P.M. . . . Morton Gould, WOR bandleader, will have his latest composition, "Cowboy Rhapsody," on the air for the first time on Thursday, 9:30 P.M., over WOR.

Sunspots Hurt Broadcasting

Local broadcasting was not affected by the freak currents set up by sunspots on Sunday and yesterday although it was necessary to reshuffle several programs because transAtlantic broadcasts could not be picked up. CBS was forced to cancel its news roundups from European correspondents. Wire service, which was also badly affected, prevented transmission of the summaries of baseball games on Sunday from Florida, and WOR was compelled to delay the broadcast for one hour before the wire cleared.

Program News

George A. Hornell has signed a new contract with CBS for 52 weeks sponsorship of "It Happened in Hollywood." Effective April 29, the program will be heard at a new time, 8:45 A.M., Mondays through Fridays, in New York, 5:30 P.M. in Philadelphia, and 3:15 P.M. over the remaining 36 stations. . . . American Tobacco has renewed "Your Hit Parade," with Mark Warnow and Barry Wood, for 52 weeks over CBS.

FCC Revokes KGFI License

Revocation of the license of KGFI, Brownsville, Texas, effective April 15, was ordered by the F.C.C. over the weekend. The order will be held in abeyance pending the outcome of a hearing, if the station requests a trial of the issues.

Unauthorized transfer of management of the station on Oct. 7, 1938 by the Eagle Broadcasting Co., the licensee, to James G. Ulmer and M. D. Gallagher, and the subsequent transfer to Lawrence D. Yates on April 22, 1939 was alleged by the F.C.C. to be in violation of Section 310 of the Communications Act.

High Court Upholds FCC Licensing Of Station Despite 'Economic Injury'

Washington, March 25.—Possible economic injury to an existing broadcasting station by the licensing of a new station need not be considered by the F.C.C., the U.S. Supreme Court ruled today in reversing a decision of the District of Columbia Court of Appeals.

WKBB, Dubuque, Ia., had brought injunction proceedings to halt construction of a competing station by the Dubuque *Telegraph-Herald*, on the grounds that WKBB had been operating at a loss and that the new station would draw revenue from the same advertisers.

Associate Justice Roberts pointed out that if such economic loss were a valid reason for refusing a license, it would mean that the Commission's function "is to grant a monopoly in the field of broadcasting, a result which the act itself expressly negatives."

RCA Cries 'Politics' as FCC Suspends Television Order

(Continued from page 1)

mission's original ruling is planned.

Although RCA will not suspend its drive to sell sets, it was learned that all advertising had been temporarily cancelled. The NBC station, W2XBS, will continue with its present program policy.

Executives of RCA, NBC and RCA Manufacturing were in a conference from 11 A.M. until 4 P.M. yesterday, but they declined to make any comment on either the decision or their future plans. New York City dealers who flooded RCA with calls to learn future plans were told that RCA is continuing to sell television sets.

Observers noted the likelihood that RCA would charge that the Commission was interfering with private business and preventing the orderly growth of a new industry. It was also pointed out that although the Commission refused to permit television set sales because of a fear of obsolesence, its current hearings on frequency modulation would result in the obsolesence of all present transmission and receiving equipment if the demands of F-M broadcasters were met.

Reluctance of RCA officials to discuss the present situation was attributed to the fact that the F.C.C. had previously resented an editorial in the New York *Times* on the eve of its first decision on commercial television. At that time, RCA was accused of forcing the Commission's hand, and officials yesterday were anxious that there be no repetition of the incident.

The political and economic aspects of the latest decision were stressed most heavily yesterday. RCA argued during the original hearings that the employment of thousands hinged on the decision to allow commercialization and it is expected that this argument will be repeated on April 8 with additional emphasis.

David Sarnoff, president of RCA, said:

"I am amazed at the action of the Commission. We have spent nearly $10,000,000 in developing television and in trying to create a new art and a new industry. We though that we were proceeding exactly in accordance with the order on this subject as recently adopted by the Commission."

He hinted that the new F.C.C. ordere was the result of pressure from "some people," presumably manufacturers and broadcasters who were outdistanced in the television field by RCA and wanted development retarded until they could catch up. He denied the F.C.C. contention that receivers now in use would become obsolete in a comparatively short time.

RCA Advertising Blamed For New FCC Order

WASHINGTON, March 25.—F. C. C. officials today indicated no intention to retreat from the attitude toward commercial television by RCA, which led to the order Saturday suspending previous authorization to begin limited commercial operation on Sept. 1, and calling for new television hearings to begin April 8.

The commission action avowedly was the result of RCA advertising, which the commission charged was an attempt to promote the sale of receivers on the strength of the permission to accept expense costs from sponsors.

The F. C. C. declared that premature exploitation might leave the public with obsolete receivers in the event of a major improvement, and might tend to freeze standards at the present level.

F-M Stations Plan Submitted to FCC

WASHINGTON, March 25.—Patterns for the placement of frequency modulation stations to give national service, requested last week by the F.C.C., were submitted to the Commission today by F-M Broadcasters, Inc.

Three classes of stations would be required for national coverage, it was said. Forty high-power stations on six channels could cover the eastern half of the country while several stations could cover intermediate areas of importance to the west on the northwest Pacific coast and San Francisco and Los Angeles. Separation of stations on the same channel would be not less than 400 miles and of stations on adjacent channels 150 miles or more, it was said.

Lower powered stations could be used in covering small communities with separations of not less than 30 miles for stations on the same channel. As soon as F-M Broadcasters complete their testimony it is expected that RCA representatives will oppose any allocation which would deprive television of any of the channels now assigned to it.

Trans-Lux Houses Show Profits Drop

Net profit of $85,858, equivalent to 11.92 cents a share on the outstanding stock, is reported by Trans-Lux Corp. for the year ended last Dec. 31. This compares with net of $133,717, equivalent to 18½ cents a share, for 1938. A dividend of 10 cents a share was paid in each year.

Theatre operations showed a net loss of $29,775. Ticker operations resulted in gross income of $305,910 and a net of $110,950.

Business at four newsreel theatres operated by Trans-Lux showed an increase in the last four months of 1939, due to interest in war news, and the gross business at these theatres was about equal that of the year before, Percy N. Furber, chairman of the board, reported. However, general conditions affected the three Trans-Lux houses operated as subsequent run feature theatres, including two in New York and one in Boston.

"The theatre in Boston has just recently turned the corner and is on a paying basis," said Furber.

The report shows $312,189 income from theatres operated by wholly-owned subsidiaries, with $208,813 operating expenses, exclusive of depreciation and amortization.

Joins Board of CBC

TORONTO, March 25. — Dr. J. S. Thompson has been named to the board of governors of the Canadian Broadcasting Corp. on which the film industry is represented by N. L. Nathanson, president of Famous Players Canadian Corp. Dr. Thompson has been a resident of Canada only since 1930 when he came from Scotland, where he graduated from Glasgow University.

WOV Aids N. Y. Fund

WOV was the first metropolitan station to offer its facilities to the Greater New York Fund which begins its drive on April 1 with a meeting at Madison Square Garden.

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VOL. 47. NO. 61 NEW YORK, U.S.A., WEDNESDAY, MARCH 27, 1940 TEN CENTS

Circuits Push For Revival Of Vaudeville

AGVA Negotiates Deals; New Policy Offered

The American Guild of Variety Artists is considering a plan to offer special inducements to film houses for the restoration of vaudeville in theatres which previously had a vaudeville or stage show policy. Hoyt S. Haddock, executive secretary, is sponsoring the plan.

Haddock, who made the disclosure at a membership meeting which ended at dawn yesterday, did not reveal the details. However, it is understood to involve a package deal whereby the exhibitor will receive all the acts for a flat sum. In houses where the policy will be tried experimentally, complete live talent shows will be provided for weekends or single nights if desired, it was said.

Haddock declared that negotiations with a committee of circuits interested in vaudeville had progressed to a stage where there was agreement on all points except two. He declined to specify what had been agreed upon, but said that he expected a complete agreement within the next two weeks.

The committee representing the vaudeville circuits includes Sidney

(*Continued on page 2*)

K-A-O Shows Slight Drop in Net Profit

Keith-Albee-Orpheum Corp. and subsidiaries yesterday reported net profit for 1939 of $976,627 after all charges, equivalent to $15.18 per share on 64,304 shares of 7 per cent cumulative preferred stock outstanding.

Net profit for 1938 after all charges was $996,995, equivalent to $15.50 per share on the preferred.

B. F. Keith Corp. and subsidiary companies reported net profit for 1939 of $575,271 after all charges, as compared with $752,011 for 1938.

The Keith-Albee-Orpheum report for 1939 includes a non-recurring charge of $400,000 for a lease settlement. The company's report to stockholders shows income of $15,259,929 for last year, of which theatre admissions amounted to $13,554,669. Film costs were $3,801,182; salaries and wages, $3,349,605, and operating expenses and theatre overhead were $5,062,265.

The report shows current assets of $3,279,717, of which $3,203,502 was cash, and current liabilities of $1,164,421.

527 Films in 1939 Cost $110,822,303, Hays Report Says

The industry spent an estimated $110,822,303 on 527 pictures produced in the United States during 1939, according to the annual report of Will H. Hays to the M.P.P.D.A.

The expenditure represents an average cost per picture of $210,289, compared with an average picture cost of $223,000 the preceding year, according to Hays' estimates.

Figures are based upon fees paid by producers for Production Code seals during 1939. The P.C.A. fee is determined by the cost of the individual picture. In addition, the estimated production expenditure does not include pictures made abroad under quota requirements nor does it include short subjects or newsreels.

Moreover, the figure is not representative of actual production costs for the year, in that it covers only completed and released pictures. It does not include expenditures for unproduced stories and plays acquired during the year nor for productions which were started but not completed.

Run of 'Pinocchio' Extended at Center

"Pinocchio" will be held over at the Center for at least five days of an eighth week because of capacity holiday week business beginning last Saturday.

The picture was scheduled to close at the Center today, but the run has been extended until Sunday, at least.

(*Continued on page 2*)

15% PAY BOOST WON BY PROJECTIONISTS

700 Operators Affected In 150 Metropolitan Circuit Theatres

Wage increases totaling 15 per cent to be granted to approximately 700 projectionists in 150 metropolitan circuit theatres within the next three years were agreed upon yesterday between major circuits and Operators Union, Local 306.

These increases will be divided in three parts, the first boost being eight per cent, retroactive to Sept. 1, 1939. An additional five per cent will be given on Sept. 1, 1941, and an extra two per cent slated on Sept. 1, 1943. An extra week's vacation, bringing the total to two weeks annually, also was agreed upon.

Threatened Strike Last Year

The settlement came on the eve of the anniversary of the local's strike call last year.

The agreement stabilizes the projectionist situation for the entire length of the contract, which expires on Aug. 31, 1945. The contract, which was entered into in 1935, provided that wages and hours were to be readjusted annually after Sept. 1, 1937. Under the terms of yesterday's agreement, the hours will remain at 30 per week and there will be no further necessity for adjusting wages.

Fight Goes to Arbitration

The current controversy started last Summer when Local 306 demanded a 25 per cent wage tilt. After months of futile negotiations, it was decided to submit the issues to arbitration. However, after many hearings the impartial arbitrator, Prof. M. J. Handler, obtained the consent of both parties to yesterday's settlement, thus terminating the hearings and obviating

(*Continued on page 3*)

Allied Will Convene In Chicago April 19

Chicago, March 26.—Jack Kirsch, president of Allied of Illinois, today confirmed April 19-21 as the dates for the national convention of Allied States Association at the Morrison Hotel here. Kirsch said he will announce the names of the various committees next week.

Bamberger Slated As Ampa President

Leon J. Bamberger, sales promotion manager of RKO, was selected as the official candidate for president of the Ampa at a meeting of the nominating committee yesterday. He will succeed Paul Lazarus, Jr., of Warners. Nomination is tantamount to election. Annual elections will be held April 11.

Others on the official slate are: For vice-president, Louis Pollock, Eastern advertising and publicity manager for Universal; secretary, Kenneth Clark, publicity director of the Hays office, and treasurer, Edward Schreiber of Warners publicity staff.

On the board of directors, the committee named Martin Starr, Eli Sugarman, Lou Lifton, Paul Benjamin and

(*Continued on page 6*)

No 'Snooping' on License Terms, Rodgers Tells U.S.

It would be "presumptuous" and "unethical" for a sales head to inquire into the licensing terms that affiliated theatres obtain from other film companies, William F. Rodgers declared yesterday at a pre-trial examination in the Government's "key" anti-trust suit.

Rodgers, who testified for a full afternoon, will continue on the stand this morning. Neil F. Agnew, sales manager of Paramount Pictures, will testify in the afternoon.

The Government interrogated Rodgers on what transpired at conferences held at offices of the M.P.P.D.A., intimating that film executives exchanged notes on sales policies at these meetings. The Loew's official emphatically denied the Government inference. At the few meetings he had attended, no such conversations took place, Rodgers said.

It would serve no useful purpose for Loew's sales department to learn what clearance and rentals were imposed upon Loew's theatres by other distributors, Rodgers asserted. "I get what I think is a sufficient price for our films without regard for what others ask," Rodgers stated.

Discussions between the Loew's sales and theatre departments are confined to questions of exploitation and the reaction of the public to M-G-M films, the sales executive maintained. Frequently pictures are bracketed as to price classifications after test runs in out of town Loew's theatres, he continued.

Rodgers stated that clearance was

(*Continued on page 2*)

Deadlock in Fair Closed Shop Fight

Efforts of actor unions to obtain a closed shop at the New York World's Fair have reached a deadlock and the unions have instructed their licensed agents not to book actors into any of the concessions at the Fair.

Fair officials have taken the stand that they could not legally compel concessionaires to install a closed shop, but unions have refused to accept this view.

Unethical Methods Denied by Rodgers

(*Continued from page* 1)

first imposed upon films at the request of exhibitors who desired protection from competing houses. In 1924 provisions were inserted in licensing contracts covering admission prices because a number of theatres had opened with "ridiculous admission prices" in some instances with charges as low as 3c, he said.

Regret was expressed by Rodgers for fixing permanent clearance in some of the long term franchises which he had signed up with theatres. The advent of new houses and a switch in playing policies by others had caused some inconvenience because of fixed clearance terms, Rodgers stated. He told Special Assistant Attorney General Robert L. Wright that he was making efforts to change this system.

The majority of M-G-M films are rented to Loew's metropolitan theatres on a percentage basis, Rodgers testified. Rentals were fixed at the beginning of the season and a picture designated to play on a percentage is distributed to all Loew's houses on percentage terms, he declared.

Rodgers was represented at the examination by John W. Davis and J. Robert Rubin, general counsel for M-G-M.

Make Historical Shorts

Academic Film Co. has been organized for the production and distribution of a series of two-reel films based on important events in American history. The first subject, now ready for release, is "Our Constitution," portraying the causes and events immediately leading to the Constitutional Convention in 1787. The company is headed by Milton J. Salzburg and Harold Baumstone.

Purely Personal

HARRY COHN, Columbia president, left for the Coast yesterday by plane after a Florida vacation and home office conferences.

•

ANTHONY MUTO of Fox Movietone News will confer with Democratic convention executives in Chicago on Wednesday regarding film coverage of the convention July 15.

•

WILLIAM R. LEWIS, JR., ad sales manager of the San Francisco 20th Century-Fox exchange, was married last week to REBECCA K. BOYES of Tracy, Cal.

•

DR. J. B. FISHMAN of Fishman Theatres, New Haven, will return by car from a Florida vacation with his family at the end of the week.

•

MAURICE BERGMAN, Columbia advertising and publicity director, returned yesterday from a week's visit at the studio.

•

DAVID CHERMAN of the Lawrence, New Haven, is recuperating at New Haven Hospital after an emergency operation.

•

LANA TURNER and ARTIE SHAW, recently married, left Hollywood yesterday to spend about three weeks in the East.

•

JAMES A. COSTON, Warner Theatres executive, is back in Chicago from a month's vacation in California.

•

WILLIAM SUSSMAN, Eastern division manager for 20th Century-Fox, left last night for Cleveland.

•

WILLIAM C. GEHRING, 20th Century-Fox Central division head, is vacationing in Florida.

CHARLES E. McCARTHY, CHARLES SONIN, ARTHUR LOEW, WALTER HUSTON, LEE SHUBERT, RAY BOLGER, ARTHUR KRIM and SIDNEY KINGSLEY lunching at Sardi's yesterday.

•

NATHAN GOLDSTEIN, ADOLPH HAAS, OSCAR A. DOOB, LEONARD GOLDENSON, ANCIL NOEL, T. J. CONNORS, ED SAUNDERS, MRS. HOWARD DIETZ and CAPT. P. C. PASSMAN lunched at Nick's Hunting Room at the Astor yesterday.

•

MONROE GREENTHAL, WILLIAM GERMAN, ALAN FREEDMAN, ABE MONTAGUE, W. RAY JOHNSTON, HAL HORNE, WILLIAM FITELSON and HARRY THOMAS at the Tavern for lunch yesterday.

•

HARRY, WILLIAM and LOU BRANDT, SAM SHAIN, ARTHUR GOTTLIEB, JACK SCHLAIFER, JAMES MULVEY and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

RUBE JACKTER, Columbia assistant sales manager, has returned from a vacation in Florida.

Warner Ad Sales Drive Next Week

Advertising accessory salesmen in Warner exchanges will participate in a "Sears Drive Ad Sales Week," March 31 to April 6, in conjunction with the sales drive honoring Gradwell L. Sears, general sales manager.

Slogan of this year's drive is, "An advertising order with every show." Special emphasis will be placed on the sale of silk screen accessories which recently were added by the company.

Salesmen and bookers will cooperate in pushing accessories sales during the last two weeks of the Sears drive, which ends April 15.

Circuit Heads Going To 'Dark Command

James R. Grainger, Republic president, reports that a large group of circuit heads and exhibitors in the Midwest and South will attend the world premiere of "Dark Command" at Lawrence, Kan., April 4.

Included among those who are scheduled to attend are: R. J. O'Donnell, Interstate Circuit, Dallas; Elmer Rhoden, Fox Midwest, Kansas City; Harry C. Arthur, St. Louis Amusement Co.; Harry Warren, Central States Circuit, Des Moines, and Clarence Schultz, Commonwealth Circuit, Kansas City.

Tom Murtha Honored

Tom Murtha, president of Local 4, I.A.T.S.E., Brooklyn stagehands, was honored at a testimonial banquet last night at the St. George Hotel in Brooklyn. Several hundred persons, including many labor and civic officials, attended. Murtha is also president of the Central Trades and Labor Council of Greater New York.

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Sleep your way over Dixie, plain and desert. Wake up in summertime! Only American flies the smooth, Southern Sunshine Route!

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Overnight to California
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• It's a delightful night's sleep to California and the Southwest via American Airlines! Save days of travel! For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket offices: 45 Vanderbilt Avenue and Rockefeller Center at 18 W. 49th St.

FREQUENT, CONVENIENT SERVICE TO
Dallas, Ft. Worth, El Paso, Tucson, Phoenix, Los Angeles.

AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

Cash to Robbers, Tears to Manager

Indianapolis, March 26.—Containers of tear gas in the safe of the Olson Circuit's Strand Theatre here failed to deter yeggs who broke into the house early today.

They hauled the 400-pound safe to the outskirts of the city, opened it in the fresh air and made away with $170 in cash and a $65 microphone.

Circuits Back Drive ToReviveVaudeville

(*Continued from page* 1)

Piermont, Loew's; William Howard, RKO; Harry Mayer, Warners; Harry Kalchiem, Paramount; William Brandt, Brandt theatres; and Aubrey Schenck, Skouras theatres.

Negotiations with the motion picture presentation houses committee were started yesterday. Members of the latter committee include Irving Lesser, managing director of the Roxy, Piermont and Mayer. Negotiations with the Entertainment Managers Association, club bookers, will start tomorrow.

The meeting yesterday adopted a resolution condemning attempts to involve the United States in the war and urging members not to act as "stooges" at benefits where the attempt is to favor any of the belligerents and involve this country.

Run of 'Pinocchio' Extended at Center

(*Continued from page* 1)

It will open at the Palace tomorrow as scheduled, and thus will be playing at two Broadway theatres simultaneously for the remainder of the week. It is also being held for a second week at the Brooklyn Albee.

Estimated gross for the picture's seventh week ended yesterday is $29,000.

Set Educational Hearing

WASHINGTON, March 26.—The Securities and Exchange Commission yesterday ordered a hearing April 23 at the New York regional offices to determine whether the 60-cent dividend cumulative preferred stock of $5 par value and $1 par common of Educational Pictures, Inc., should not be suspended or withdrawn from registration on the Chicago Board of Trade.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Projectionists Given 15% Wage Increase

(*Continued from page* 1)

the necessity of any arbitrator's decision.

Acting with Prof. Handler on the arbitration board were C. C. Moskowitz, vice-president of Loew's in charge of metropolitan theatres, and Major L. E. Thompson, in charge of RKO theatre operations, representing VO circuits; Joseph D. Basson, president of 306, and Bert Popkin, New York business agent, representing the union.

About $100,000 will be paid in back wages to Sept. 1, but no estimate could be made of the total amount to be paid for the wage increases in the future because of varying booth costs, union officials said.

On Nov. 14, arbitration proceedings between the union and the I.T.O.A. of New York resulted in an award of a 10 per cent increase, retroactive to Sept. 1, and a second week's vacation. However, the contract with the I.T.O.A. does not expire until 1947 and the question of wages and hours may be reopened in the future.

N.Y. Senate Passes Bill on Pari-Mutual

ALBANY, March 26.—The N. Y. State Senate today passed Senator John J. Dunnigan's pari-mutuel horse race betting bill by a vote of 32 to 14 after rejecting several amendments. The bill goes to the Assembly for a vote tomorrow.

The measure of Senator Condon embodying restrictions on projection booths, was reported out favorably today by the Senate labor and Industries Committee and was advanced from general orders to the third reading calendar.

The Assembly today passed unanimously the Goldstein bill extending the provisions relating to false advertising in radio broadcasts.

Expect Film Spurt By British 20th-Fox

LONDON, March 26.—On his arrival here from the United States, Robert Kane, head of 20th Century-Fox British production, is expected to announce plans for a major production schedule.

It is understood here that 20th Century-Fox is going ahead with single quota films. One film, starring Will Fyffe, and titled "Neutral Port," already has a unit on location in France. It will be followed by "Inspector Hornleigh Joins Up," starring Gordon Harker.

'Singapore' Gross Big in 38 Key Cities

Paramount's "Road to Singapore" grossed $227,168 over the three-day Easter weekend in 38 initial key city engagements, Robert M. Gillham, director of advertising and publicity, reported yesterday.

The figure is approximately $50,000 greater than the gross of "Union Pacific" for its opening three days in the same 38 cities last April. The latter picture's gross was $177,045.

Dies on 80th Birthday

SAN FRANCISCO, March 26.—Hugo D. Keil, veteran owner of the New Mission Theatre, died here on his 80th birthday.

Hollywood Review

"Rebecca"

(*Selznick-U. A.*)

HOLLYWOOD, March 26.—Alfred Hitchcock's first American film is a highly polished and workmanlike production of a Daphne du Maurier novel dealing morbidly with a sordid incident in the life of an English gentleman.

As expertly fashioned for screen by Robert E. Sherwood and Joan Harrison, after adaptation by Philip MacDonald and Michael Hogan, the story emphasizes character development, studying at length and in persistent detail the moods and temperaments of many individuals dwelling within the central figure's sphere of influence. It is lavishly staged and meticulously produced.

Obviously adult fare, the film's salability may be determined by the fact that it has behind it an enormously popular, and comparatively recent novel. The interpretation of that story, heavily laden with overtones of dramatic conflict as it is, nevertheless has been accomplished with consummate skill, in direction, acting and atmosphere. A basically human conflict, it should have strong appeal.

Laurence Olivier and Joan Fontaine head an accomplished cast which includes George Sanders, Judith Anderson, Nigel Bruce, Reginald Denny, C. Aubrey Smith, Florence Bates, Gladys Cooper and Melville Cooper, to name but a few. All of these perform skillfully.

The story is not pretty. Olivier meets and marries Miss Fontaine, takes her to his English estate and allows her to be compared, by servants and friends, to his first wife, a social leader whose tragic death a year previously has been set down as accidental. The spirit of the departed, kept alive by the household in a hundred ways, makes the new wife's life miserable.

At length a storm at sea reveals the body of the departed in the hulk of her sunken boat and Olivier, who believes himself responsible for her death, tells Miss Fontaine the circumstances of her demise, revealing also that she was a faithless woman.

After much exploring of sordid evidence, by a coroner's jury and by one of the dead woman's lovers now bent on blackmailing the husband, it is discovered that the departed was afflicted with cancer and determined to end her life in a way calculated to bring her husband under suspicion of her murder. This discovery saves him from conviction.

Running time, 125 minutes. "A."*

ROSCOE WILLIAMS

---

*"*A*" *denotes adult classification.*

Bank Night Action Awaits Ohio Appeal

WASHINGTON COURT HOUSE, O., March 26.—Through an agreement by both sides, the temporary injunction obtained in Common Pleas Court by Hoy Simons and Alice Smoots Payne, operating the Fayette, restraining City Manager Edwin Dulcy and Police Chief Jack Wolfe from stopping Bank Night, will continue in force.

It will continue pending final outcome of a similar case against the Mayflower, at Troy, O., in which the Second District Court of Appeals recently upheld a decision of the lower court declaring Bank Night a game of chance, and in violation of the state lottery laws. The Troy case is to be carried to the Ohio Supreme Court.

Chicago Drive Starts

CHICAGO, March 26.—The Jewish Welfare Fund starts work on their drive for funds with a luncheon at the Congress Hotel tomorrow. Jack Rose, chairman, John Balaban, Edwin Silverman and Jack Kirsch head the committee, which has a quota of $105,000.

Extend Car Giveaway

KANSAS CITY, March 26.—The giveaway of a Ford car, $500 in 62 cash prizes, and 100 pairs of tickets each week for the next 10 weeks by Fox Midwest Theatres, Inc., is being participated in by 105 of the circuit's theatres in western Missouri, Iowa, Illinois, Nebraska and Kansas.

AGVA Formulating Drive in Pittsburgh

PITTSBURGH, March 26.—Plans for organizing performers in motion picture presentation houses, vaudeville circuits and night clubs will be formulated on Thursday at a special committee meeting of the American Guild of Variety Artists here.

Initiation fees for performers joining in this area will be waived until May 1. Dues will be $12 annually for chorus and $16 for principals. The drive will be headed by Tom Kelly, head of Philadelphia's A. G. V. A. local. After the Pittsburgh drive gets under way, the next cities to be organized will be Detroit, Cleveland, Buffalo, Seattle, Montreal, St. Louis and Kansas City, according to Hoyt S. Haddock, A. G. V. A. executive secretary.

Allied Unit Fights Chicago Dual Bills

CHICAGO, March 26.—A committee has been named by Allied Theatres of Illinois to work out a plan for the elimination of double and triple features, premiums and giveaways and other problems of the theatre business.

The committee named for this purpose consists of Jack Kirsch, Allied president, Jack Rose of Indiana-Illinois Theatres, Verne Langdon, Van Nomikos and Charles Nelson, independent theatre operators. The first meeting of the committee is scheduled for late this week.

Stars Aid N.Y. Fund Campaign on April 1

Screen, stage and radio stars will contribute their services in a Town Meeting at Madison Square Garden April 1, launching the 1940 campaign of the Greater New York Fund, according to John A. Brown, president of the Socony-Vacuum Oil Co., chairman of the drive.

General Hugh S. Johnson will be the chief speaker, Fred Waring will be master of ceremonies and James G. Blaine, Fund president, will preside. A feature will be a dramatic, musical "living newspaper," titled "Give Us This Day." Entertainers will include Glenn Miller, Tommy Dorsey, Dorothy Maynor, Molly Picon and others.

The Fund serves 393 voluntary social welfare and health agencies aiding all races and creeds throughout Greater New York. The Town Meeting will not be a benefit, with no money being solicited, Brown declared.

Pittsburgh Promotes Local Conventions

PITTSBURGH, March 26.—Theatres, night clubs and other play spots may soon receive box-office stimulation through a City Council subsidy and funds from a variety of business organizations for convention promotion, if plans contemplated by the mayor and commercial leaders are approved.

Pointing to a revenue of $4,034,000 coming to the city from conventions during the past year, estimated by the Convention and Tourist Bureau, Mayor Cornelius D. Scully indicates that he will ask the council for an appropriation to help defray the expenses of the bureau.

Theatres are estimated to have received about $200,000 from the 79,162 delegates to 147 conventions here last year, and other amusement enterprises collectively, about the same amount. Hotels are supposed to have grossed approximately $1,000,000 from conventioners and restaurants outside of hotels, $400,000.

Settlement of Fox Claims Approved

CAMDEN, N. J., March 26.—A $500,000 settlement of $1,400,000 on claims against the bankrupt estate of William Fox was approved yesterday by Judge John Boyd Avis in Federal District Court here.

The settlement has been accepted, subject to court approval, by Allen B. Endicott, Jr., of Atlantic City, Federal trustee in bankruptcy. It was offered by the All-Continent Corp., Fox family holding company. Judge Avis gave creditors the right to appeal within 30 days.

Palumbo on Golfing Honor Roll for Year

Leonard Palumbo of the Warner home office publicity department has been named on the Metropolitan Golf Association 1940 honor roll.

Palumbo is listed in the four-stroke handicap group, and takes his place on the list among a field of 62 outstanding golfers in the Metropolitan area. Palumbo in past years has been a consistent high scorer in the annual *Film Daily* tournament, winning the low gross awards in 1937 and 1939.

MARCH CAME IN LIKE A LION!

"NORTHWEST PASSAGE" (Book I — Rogers' Rangers) in Technicolor Starring SPENCER TRACY with Robert Young, Walter Brennan, Ruth Hussey, Nat Pendleton • Screen Play by Laurence Stallings and Talbot Jennings • Based on the Novel by Kenneth Roberts • Directed by King Vidor • Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture

"NORTHWEST PASSAGE" THE WORD-OF-MOUTH HOLD-OVER SENSATION!

4th Week Chicago, Portland, Seattle
3rd Week New York, San Francisco, Worcester
2nd Week Denver, Louisville, Spokane, Cincinnati, Pittsburgh, Philadelphia, Washington, D. C., Wilmington, New Haven, Harrisburg, Bridgeport, Boston (*Day and Date at State and Orpheum*), Los Angeles. Salt Lake City 11 days. More Hold-Overs Reported Daily!

MARCH GOES OUT LIKE A LION!

"STRANGE CARGO" IS BOX OFFICE SUCCESSOR TO "NORTHWEST PASSAGE!"

Another *powerful* M-G-M Show! It's what the ticket-buyers want! Packing Theatres everywhere! Clark Gable in the kind of role they love! Joan the way they want her! M-G-M showmanship gets the dough again!

"He lived, fought and loved like a wolf. That's Big Verne, the no good guy of the world"!

CLARK GABLE, JOAN CRAWFORD in "STRANGE CARGO" with Ian Hunter, Peter Lorre, Paul Lukas, Albert Dekker, J. Edward Bromberg, Eduardo Ciannelli A Frank Borzage Production • Screen Play by Lawrence Hazard • Based on the Book "Not Too Narrow, Not Too Deep" by Richard Sale • Directed by Frank Borzage Produced by Joseph L. Mankiewicz

A Metro-Goldwyn-Mayer Picture

'Singapore' Hits $35,000, Chicago Best

CHICAGO, March 26. — "Road to Singapore" at the Chicago gave that house fine business for Holy Week, getting $35,000. "Congo Maisie" at the Garrick, with $5,200, and "Joe and Ethel Turp" at the State-Lake, with $14,800, were other strong pre-Easter attractions. Business elsewhere was off. The weather was unsettled most of the week.

Estimated takings for the week ending March 20-23:

"Sidewalks of London" (Para.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $3,700. (Average, $6,000)

"Road to Singapore" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Revue. Gross: $35,500. (Average, $32,000)

"Congo Maisie" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,200. (Average, $5,000)

"Gone With the Wind" (M-G-M)
ORIENTAL—(3,200) (75c-$1.10-$1.50) 7 days, 8th week, 3 shows daily. Gross: $35,600. (Average, $13,000)

"Bill of Divorcement" (RKO)
"Millionaire Playboy" (RKO)
PALACE—(2,500) (35c-55c-75c) 6 days. 2nd week. Gross: $6,800. (Average, $12,000

"Grapes of Wrath" (20th-Fox)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $8,000. (Average, $11,000)

"Joe and Ethel Turp Call on the President" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-50c) 7 days. Stage: Vaudeville revue. Gross: $14,800. (Average, $12,000)

"Northwest Passage" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 4th week. Gross: $8,800. (Average, $14,000)

"Gone With the Wind" (M-G-M)
WOODS—(1,100) ($1.10-$1.50) 7 days, 8th week, 2 shows daily. Gross: $13,300.

JOHNNY APOLLO

WHAT A SOCK IT PACKS!

20th CENTURY FOX

Hollywood Review

"Beyond Tomorrow"

(RKO)

HOLLYWOOD, March 26.—This first of Lee Garmes' Academy Productions for RKO release is the first film since "On Borrowed Time" to deal realistically with the Hereafter and the manner of bridging over from Here to There. Three of the principal characters, Charles Winninger, C. Aubrey Smith and Harry Carey, die in mid-picture but continue present in wraithlike substance, visible only to the audience, striving to influence beneficially the lives of loved ones left behind them. These are Richard Carlson, Jean Parker, Maria Ouspenskaya and Alex Malesh. Helen Vinson and Rod LaRocque are others in the living cast.

Exploitation possibilities, apart from the obvious usefulness of the name cast, are such as have been available to exhibitors playing pictures of this unusual variety since the days of "Earthbound." A highly imaginative chronicle, it lends itself to imaginative showmanship, imposes no restrictions on inventiveness in ad copy save, of course, the rules of dignity and good taste.

Adele Camandini wrote the screenplay from an original by herself and Mildred Cram. The story is about three old men who take two young people into their care and, following sudden death, remain on earth, invisibly, to watch the romance flower, fade, encounter tragedy and, finally, triumph. Miss Camandini also served as associate producer, with A. Edward Sutherland directing.

Running time, 85 minutes. "G."* ROSCOE WILLIAMS.

"G" denotes general classification.

Sale of G. N. Assets Scheduled Today

Harry G. Fromberg, trustee of Grand National Pictures, was authorized to conduct Coast examinations of E. H. Allen, vice-president of Educational Studios, Inc., Richard J. Pearl and Harold Lewis in an order of Federal Judge Murray Hulbert signed yesterday.

Examinations arise out of a controversy between G. N. and Educational as to the ownership of films, fixtures and other properties held by Educational, Fromberg's application stated. Sale of G. N. assets will be held today at a hearing before Referee Peter B. Olney, Jr.

Guild, Equity Discuss Theatre Experiments

The Dramatists Guild yesterday offered to meet with Actors Equity to discuss concessions to be made to aid experimental theatre groups. Concessions would probably involve lowered royalties for dramatists and subminimum salaries for performers.

Equity asked that the Guild meet to discuss the problem last year but the Guild failed to respond. Elmer Rice, president of the Guild, yesterday declared that meetings could start as soon as Robert Sherwood, former president, is available.

Urge Bingo Be Legalized

LANCASTER, Pa., March 26.—As a result of a test case here which resulted in a county jury defining Bingo as gambling, petitions are being circulated asking the state legislature to legalize Bingo at the special session next month.

Postpone Club Dance

ST. LOUIS, March 26.—The Variety Club's proposed charity dance to raise money for pneumonia serum for city hospitals has been postponed indefinitely because of the club's inability to obtain big-name acts and a band at this time.

Trans-Lux Officers' Salaries Disclosed

Trans-Lux Corp. and subsidiaries last year paid its officers and directors total remuneration of $127,613 and 3,500 shares of stock which had a market value of $4,312, it is disclosed in the notice of the annual stockholders' meeting which will be held April 10.

Remuneration of three executives is listed as follows: Percy N. Furber, chairman of the board and chief executive officer, $40,608; Percival E. Furber, president of the corporation and vice-president of all subsidiaries, $20,340; Leslie E. Thompson, president of subsidiary theatre companies, $25,220 and 1,000 shares of stock with a market value of $1,187. There are six other salaried officers.

Reelection of the full slate of 11 directors is scheduled at the annual meeting. With the number of shares they own, directors are: Robert W. Atkins, no shares; Robert Daine, 3,000; George H. Eichelberger, 500; Harold P. Farrington, 100; Percival E. Furber, 1,500; Percy N. Furber, 24,320; Robert L. Gordon, 500; Edwin G. Lauder, Jr., 10,000; George H. Robinson, 5,150; Walter Siemers, 1,000; Leslie E. Thompson 4,500.

Bamberger Slated As Ampa President

(*Continued from page* 1)

Lazarus, in addition to the four nominated officers.

Any seven members may present other candidates within the next week. Rutgers Neilson of RKO was chairman of the nominating committee.

Party Aids Buffalo Blind

BUFFALO, March 26.—Proceeds of a theatre party to be held April 15-17 at Shea's Buffalo, under the joint sponsorship of the Buffalo Lions Club and Shea interests, will be diverted to a local fund to aid blind persons.

Boston Gives 'Chickadee' Good $16,500

BOSTON, March 26. — Although grosses sagged a bit because of Holy Week, The Keith Memorial, with "My Little Chickadee" and "Honeymoon Deferred," grossed $16,500 in its second week.

The Metropolitan, with "I Take This Woman" and "Man from Dakota," grossed $17,000. "Of Mice and Men" and "Five Little Peppers" drew $12,000 at Loew's State and $15,000 at Loew's Orpheum.

Estimated takings for the week ending March 20:

"Marines Fly" (RKO)
"Murder News" (Warwick)
"One Hour to Live" (Univ.)
"Special Inspector" (Warwick)
KEITH BOSTON—(3,200) (25c-30c-40c) split week, 4 and 3 days. Thurston Magic Show on stage first half. Gross: $10,000. (Average, $8,000)

"My Little Chickadee" (Univ.)
"Honeymoon Deferred" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,500. (Average, $15,500)

"Castle on the Hudson" (W. B.)
"The Ghost Comes Home" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,000)

"Castle on the Hudson" (W. B.)
"The Ghost Comes Home" (M-G-M)
FENWAY — (1,332) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $4,500)

"I Take This Woman" (M-G-M)
"Man from Dakota" (M-G-M)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $15,000)

"Judge Hardy and Son" (M-G-M)
"Slightly Honorable" (W. B.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)

"Of Mice and Men" (U. A.)
"Five Little Peppers at Home" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $11,500)

"Of Mice and Men" (U. A.)
"Five Little Peppers at Home" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $17,000)

Connors, Managers Meeting Tomorrow

Thomas J. Connors, Eastern, Southern and Canadian division manager of M-G-M, will conduct a two-day meeting of district managers in his division tomorrow and Friday at the home office.

Those attending will be E. K. O'Shea, New York; John J. Maloney, Pittsburgh; Robert Lynch, Philadelphia; Maurice Wolf, Boston, and Charles E. Kessnich, Atlanta. Also expected is Henry Nathanson, general manager of Regal Films, Toronto, or Gordon Lightstone, Regal sales manager.

"Gone With the Wind" sales, the Summer sales drive to be held in June, July and August and other matters will be discussed.

Lomba Sails Friday For Venezuela Post

E. F. Lomba, Central American home office representative for 20th Century-Fox, sails Friday on the *Santa Rosa* for Venezuela where he will assume duties as acting manager, succeeding Julio Amadeo, who recently died.

Lomba will arrange a sales meeting of Central American managers in Havana which will be held under the direction of Walter J. Hutchinson, director of foreign distribution, while en route to attend London and Paris conventions in May.

Radio Brevities

Roy C. Witmer, NBC vice-president in charge of sales, leaves tomorrow for a business trip to the Coast. He will return in three weeks. . . . Bernard Herrmann, CBS musical director, will have his cantata, "Moby Dick," given its premiere by the New York Philharmonic Symphony Orchestra on Thursday, April 11. . . .

Martha Raye will be Rudy Vallee's guest on the Sealtest show over NBC-Red at 9:30 P.M. tomorrow. . . . Elmer Davis, CBS news analyst, has joined the editorial board of the Saturday Review of Literature. . . . Lee Gordon, formerly stage director at Loew's State in Cleveland, has been named musical director of WTAM, Cleveland. He succeeds Walter Logan, who died last week. . . . Claude Rains will be heard in the title role of "Benedict Arnold" which will be presented on "Cavalcade of America" next Tuesday at 9 P.M. over NBC-Blue. . . .

Elissa Landi will appear on "Fifth Row Center" over Mutual Sunday at 5 P.M. . . . Irene Dunne and William Powell will be featured in "Love Affair" on the "Lux Radio Theatre" over CBS next Monday at 9 P.M. . . . Mel Allen has been signed to do the play-by-play description of the home games of the New York Yankees and Giants over WABC. . . .

Rhea Diamond, assistant to Leon Diamond, WMCA publicity director, moves to WNEW as assistant to Dick Bard on Monday. Judy Dupuy, Bard's present assistant, has resigned to become assistant to John McManus, radio editor of PM, forthcoming afternoon tabloid. . . . Herman Bess has signed a new five-year contract as executive vice-president of WNEW, while his assistant, Irene Davis, has been promoted to the post of commercial traffic manager.

Benny Shows from New York

In connection with the premiere of his latest Paramount film, "Buck Benny Rides Again," which opens at the Paramount on April 24, Jack Benny will bring his radio troupe to New York for broadcasts from the local NBC studios on two Sundays, April 21 and 28.

Program Notes

"Musical Americana," the Westinghouse show, will add KYUM, Yuma, to the network carrying the show tomorrow, bringing the total to 99 NBC-Blue stations and two short wave stations. . . . "Dr. I. Q." moves its Monday night NBC-Red show from Grauman's Chinese Theatre, Hollywood, to the Palace in Dallas on April 8. . . . Revue of Chez Harry, night club, will be aired nightly except Mondays over WMCA at 12:15 A.M. beginning today.

Sam Taylor's "Hollywood Sound Stage" has been renewed for an additional 52 weeks by its sponsor, Kay Preparations, over WHN. The show moved to a new time yesterday, 6:15 P. M., and will be heard Tuesdays, Thursdays and Saturdays for the sponsor.

188th NBC Affiliate

WSJS, Winston-Salem, N. C., is the latest station to join NBC, bringing the total number of affiliates to 188. It will join the southeastern group of the network.

Glorifying the Usher

Glorifying the movie usher, "On Your Job" will dramatize the job of the young man in uniform at film houses in "This Way Please" over NBC-Red on Sunday, April 7, at 12:30 P. M.

Edward Jennings, chief of staff at the Radio City Music Hall, will appear as guest on the program. Incidents dramatized will be based on the actual experience of ushers.

Pasternak Advises More Big Pictures

"High quality pictures, not Governmental legislation, can accomplish more to cure whatever ails the industry."

This opinion was expressed yesterday by Joseph Pasternak, Universal producer, as he arrived from Philadelphia, where he was honored by the Variety Club.

Production of high-budgeted films must be continued, despite dwindling receipts from the European market and the increasing cost of labor, to meet the demands of American audiences, Pasternak said.

Pasternak will return to the Coast after a week's stay here and a visit at Washington.

Claims Communists Seek Theatre Funds

Charging that the League for a Federal Subsidized Theatre was "Communist-inspired," Louis Schaeffer, director of Labor Stage, urged Actors Equity yesterday to refrain from indorsing any movement initiated by the League. The Equity council agreed to defer any action until next week when Schaeffer will appear before the council with his evidence.

Schaeffer declared that he favored a Federal theatre or a Government subsidy but that it was "doomed if backed by Communists." He urged that a group of theatrical unions should sponsor such a movement.

Two Cities to Make Three for Columbia

LONDON, March 26.—Columbia today announced that three British films will be made for the company by Two Cities Film Co., confirming the report last week in MOTION PICTURE DAILY.

The first film, based on a story concerned with the use of radio in Germany, will be produced by Mario Zampi, directed by Anthony Asquith, and will star Clive Brook and Diana Wynyard.

NBC Builds in Frisco

SAN FRANCISCO, March 26.—Construction of a downtown building to house NBC studios and offices here will be undertaken soon, according to Mark Woods, vice-president and treasurer, and Benjamin Clancy, traffic manager. Woods and Clancy, here to inspect present facilities, found them inadequate.

Union Dinner Friday

Fifteenth anniversary dinner of Empire State M. P. Operators Union and testimonial to Abraham I. Kindler, president, will be held Friday night at the Murray Hill Hotel.

Newsreel Parade

Easter observances and the sailing of the Queen Mary feature the latest issues of the newsreels, contents of which follow:

MOVIETONE NEWS, No. 57—*Queen Mary* leaves New York. Easter observed. British cruiser in New Zealand.. Forest fires in Australia. Lew Lehr. Ice carnival in New York. Four-year-old golfer in action.

NEWS OF THE DAY, No. 255—Norse army maneuvers. Easter observed. Co-eds in aviation training. Dooms 9th Ave. "L" in New York. Egg rollers at White House. *Queen Mary* sails. Ice carnival.

PARAMOUNT NEWS, No. 60—Sports fans in New Hampshire. Fire in Boston department store. Chicago boy in need of blood for rare ailment. Welles leaves Paris. Children gay at New York hospital. Ice season ends in New York. Youngest golfer in New Jersey. Freezing weather grips nation. Easter observed.

RKO PATHE NEWS, No. 72—*Queen Mary* sails. Russia absorbs Polish war areas. Welles visits head of exiled Poles. Chicago settlement house is 50 years old. Youngest golfer scores 68 in nine holes. Ice carnival in New York. Track meet in Chicago.

UNIVERSAL NEWSREEL, No. 861—Easter observed. Air students in graduation flights. Metals collected in France. Biggest fish fry in Washington. Track meet in Chicago. Ice review in New York. Roller skating derby in Chicago. Youngest golfer in New Jersey.

'Flotsam' at 'U' Studio

HOLLYWOOD, March 26.—David L. Loew and Albert Lewin will produce their first picture, "Flotsam," at the Universal studio, using German street sets constructed for "The Road Back" and still standing. "Flotsam" will be for United Artists release.

F-M Broadcasters In Alternative Offer

WASHINGTON, March 26.—Objectors to the allocation of additional frequencies for F-M broadcasting in the 40 mc. band will propose as an alternative that frequency modulation stations be given channels in the area above 100 mc., the F.C.C. was informed today.

Frank W. Wozencraft, counsel for RCA, disclosed that his witnesses tomorrow would testify that adequate operation of one of the three classes of stations proposed by F-M Broadcasters, Inc., could operate satisfactorily in the higher band and will show that receivers to pick up programs in those frequencies can be made available at moderate costs.

Paul A. De Mars, technical director of the Yankee Network and last witness for the F-M group, testified today that only 30 or 40 channels would be necessary for complete coverage of the United States by F-M stations. He suggested that a probable F-M structure could consist of five Class One stations to two Class Two and one Class Three.

Ticket Control Bill Gets Third Reading

ALBANY, March 26.—The Senate today advanced to third reading Assemblyman Mitchell's measure transferring from the Secretary of State to local licensing authorities the regulation and licensing of ticket brokers and providing a maximum premium at which admission tickets may be resold, not to exceed 75 cents, above the original price.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN

"Oh, it's so good to see you, Fletch."
"You were taking an awful chance driving across war territory alone, Mary."

A Republic PICTURE

IT'S RUNNING AHEAD OF "STAGECOACH" EVERYWHERE!

2 HOUSE RECORDS...4 HOLD-OVERS IN THIS FLASH NEWS OF GREAT PERFORMANCE IN THE FIRST 7 OPENINGS!

ATLANTA, LOEW'S GRAND

Opening day biggest in two years. Three hundred dollars better than "Stagecoach"!

MIAMI BEACH, LINCOLN

Top Wanger gross in history of the house. Business 150% of "Stagecoach"!

PHILADELPHIA, ALDINE

HELD OVER for second sensational week following biggest opening gross in six months—which was $600 over "Stagecoach"!

SAN FRANCISCO, UNITED ARTISTS

GOES TWO WEEKS as first week zooms to $1,500 better than "Stagecoach"!

SEATTLE, LIBERTY

SECOND WEEK OF S.R.O. "It's big!" reports Variety.

CHARLESTON, W. VA., KEARSE

NEW HOUSE RECORD set on opening day with smash $2,412.

NEW YORK CITY, LOEW'S STATE

NEW OPENING DAY RECORD ..beating every first day in recent years with single exception of Eddie Cantor's personal appearance! HELD OVER!

Walter Wanger PRESENTS

GEORGE RAFT

JOAN BENNETT

in

The HOUSE ACROSS the BAY

with

LLOYD NOLAN • GLADYS GEORGE

and WALTER PIDGEON

Directed by Archie Mayo

RELEASED THRU UNITED ARTISTS

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 47. NO. 62 NEW YORK, U. S. A., THURSDAY, MARCH 28, 1940 TEN CENTS

Biggest RKO Year Ahead; 66 Films Set

20 by Outside Producers and Six Westerns

Hollywood, March 27.—RKO, according to current indications, will have a new season release schedule of 61 to 66 pictures, by far the largest number in the company's history.

RKO's own production units will account for 40 features, while a probable 20 additional features will be supplied by outside producers. In addition, the company will have six George O'Brien westerns.

Of the studio's own 40, half will be top budget productions clearing through Harry Edington and half will be from the Lee Marcus program picture units.

In the top budget group will be two Carole Lombard vehicles, two Charles Laughtons, four Ginger Rogers, two Maureen O'Haras, two with Gregory LaCava producing and directing, two from Leo McCarey and two from David Butler.

Outside producers who will contribute approximately 20 pictures to the RKO 1940-'41 schedule include Lee Garmes' Academy Prod., which will make two; Stephens-Lang Prod.,

(*Continued on page* 4)

Columbia's Sales Chiefs to Convene

Columbia sales officials will meet at the Gotham Hotel here tomorrow and Saturday to map sales plans for the final half of the current Montague 15th Anniversary campaign.

District and branch managers who will attend include: Phil Dunas, midwestern division manager; Carl Shalit, central division manager; Sam Galanty, mid-east division manager; Jerome Safron, western division manager; Nat Cohn, New York division manager, and branch managers Phil Fox, Albany; Joe Miller, Buffalo; T. F. O'Toole, New Haven; I. H. Rogovin, Boston; H. E. Weiner, Philadelphia, and Irving Wormser, New York.

Sam Moscow, southern district manager, will be unable to attend because of illness.

Home office executives who will participate in the meetings are A. Montague, Rube Jackter, Lou Weinberg, Louis Astor and Max Weisfeldt.

'U' to Give Backing To Consent Decree As Suit Settlement

Universal would cooperate with other companies on a consent decree in settlement of the Government's New York anti-trust suit if such a decree was for the good of the industry and did not impose too harsh a burden on the company's operation, it was learned on good authority yesterday.

Universal's stand is the first break in the non-commital attitude toward the current settlement discussions which has prevailed among the three non-theatre owning defendants in recent weeks. United Artists, reportedly, may adopt a similar stand. Columbia's attitude has not been made known definitely.

Since the Government has shown a disposition to abandon its demands for outright divorcement of affiliated theatres, the attitudes of the three non-theatre owning companies toward an out-of-court settlement becomes increasingly more important.

Theatre owning companies naturally would be inclined, as a result, to make concessions on sales policies and production practices which might not be viewed sympathetically by the defendants without theatres.

However, the proposed method of selling in small blocks of pictures, which may be the key to an agreement with the Government on sales policies, would not vitally affect United Artists, it is pointed out, since that company has frequently maintained that it does not sell *en bloc*. Thus, if other regulations fitting into a settlement pattern were not too severe, informed sources believe that United Artists would not be unalterably opposed to becoming a party to a settlement.

Mohawk Bid Buys G.N.'s Film Rights

Sale of all rights to films owned by Grand National Pictures was awarded yesterday at a meeting of creditors to the Mohawk Film Corp. after that company had bid $17,500 and the payment of 30 per cent on the gross of the films up to $100,000 and 50 per cent above that figure.

Mohawk's bid was accepted by creditors and Referee Peter B. Olney, Jr., in preference to one made by Gustave De Lemas for $27,250. Bids were also made by Leon Horowitz of $26,000 and by Dino Rossini of $17,000.

Under the award, story rights and accessory property is included but 16 mm. rights are expressly exempted as belonging to Educational Films Corp. of America.

Rewarded

DARRYL F. ZANUCK

'Cargo', 'Primrose' Banned by Detroit

Detroit, Mich., March 27.—"Strange Cargo," co-starring Clark Gable and Joan Crawford, and "Primrose Path," with Ginger Rogers as its star, were banned from exhibit in Detroit by the police today. It is the first time in many years that major American-produced movies have met complete censorship here.

Following the recommendation of the police censor, Sergt. Charles W. Snyder, that the pictures be denied display here on the ground that they were "obscene and indecent," Commissioner Frank D. Eaman viewed them and sustained the decision.

A letter has been sent to M-G-M by Eaman notifying the studio that "Strange Cargo" would not be permitted on Detroit screens and a similar letter was to be sent to R-K-O-Radio concerning "Primrose Path." In both cases, it was held that undesirable characters were portrayed,

(*Continued on page* 8)

Columbia Will Ask More Trust Facts

Columbia will join defendants in the Government's New York anti-trust suit tomorrow in asking for additional answers and more detailed information in response to defendants' interrogatories.

Other defendants, who served consolidated interrogatories on the Government, filed notice early this week that they would ask Federal Judge Henry W. Goddard on Friday to direct the Government to furnish additional information.

Columbia served the Government with a separate list of interrogatories and was authorized by Judge Goddard some time ago to ask for additional information if it found the Government's answers to the other defendants' interrogatories insufficient.

Zanuck to Get New Contract For 5 Years

Similar Deal Scheduled For Joseph Schenck

Twentieth Century-Fox has offered Darryl F. Zanuck a new 5-year employment contract as vice-president in charge of production at his present salary, plus an option to purchase 100,000 unissued shares of the company's common stock.

Zanuck's new contract will run from Aug. 22, 1942, when his current contract expires, to March 31, 1947.

Stockholders at their annual meeting on April 16 will be asked to approve the proposal granting him the option to purchase the 100,000 shares of stock. Zanuck's option may be exercised in whole or in part at any time, but the stock is deliverable at the rate of 14,000 shares a year.

In connection with the execution of a new employment contract to Zanuck, Joseph M. Schenck, chairman of the board, also will enter into a new employment agreement for an additional five year period ending in 1947 at his

(*Continued on page* 8)

Agnew Quizzed On Cancellation Rights

Neil F. Agnew, sales manager of Paramount Pictures, told Government attorneys at a pre-trial examination of the "key" anti-trust suit yesterday that Paramount grants a 20 per cent cancellation clause to 86 per cent of the theatres buying its product.

Earlier in the day, William F. Rodgers, Loew's sales manager, completed his testimony which he started yesterday. Agnew will continue on the stand today.

All theatre customers of Paramount that pay less than an average of $100 per picture receive 20 per cent cancellation rights, theatres paying between $100 and $250 obtain a 15 per cent clause, and those over $250, 10 per cent, Agnew stated. Paramount's purpose is to give smaller houses a better break, he added.

Agnew declared that a rigid rule prohibited the examination of Paramount theatre records by the sales department. Information from theatres was limited to reports of the grosses of other films for comparison with Paramount film grosses, he stated.

The sales executive attacked the practice of showing double features. His opinion was backed by Sidney R.

(*Continued on page* 2)

Prospects in Spain Reported Gloomy

Foreign department executives of the major companies yesterday heard reports on trade conditions in Spain from Ben Miggins of 20th Century-Fox and Fred Lange of Paramount, both of whom currently are making their annual home office visits.

The reports of both foreign representatives are described as having presented a dark picture of trade prospects in Spain, due largely to that country's monetary problems, which indicate continuance of a currency embargo indefinitely. In addition, it was said, Spain's production quota requirement is a serious handicap due to the reported absence of necessary production facilities and equipment in the country.

Under existing conditions, it was explained, it does not appear possible to make a type of quota product in Spain which could be marketed profitably in Spanish language markets elsewhere.

Despite the present currency embargo in Spain, a considerable number of new American films are being sent into the country, according to report.

Miggins will leave for Europe Saturday and Lange plans to leave in about a week.

Lytell Decision Today

Bert Lytell, president of Actors Equity, is scheduled to make known his decision today on his acceptance of a nomination for re-election. The union will hold its quarterly meeting tomorrow at which a nominating committee will be elected. If Lytell declines the nomination, there is a possibility of an opposition ticket.

What Happens When Sales Officials Meet

The Government's inquisitiveness about what is discussed when two rival sales managers meet on the street yielded an explanation from Neil Agnew of Paramount, who was questioned at a pre-trust trial examination yesterday.

Agnew, in relating a street encounter with Gradwell L. Sears of Warners, said:

"I brag about my pictures, and he lies a little about his—that's trade practice!"

Must Post $50,000 To Fight Fox Case

Camden, N. J., March 27.—Creditors opposing a $500,000 compromise settlement of the claims against William Fox must post $50,000 if they desire to pursue further litigation, it was ruled yesterday by Federal Judge John Boyd Avis here.

If the settlement is accepted by the creditors, following approval earlier this week by Judge Avis, it will terminate a six-year court fight over the Fox bankruptcy.

The $500,000 settlement was recommended in November, 1938, by Allen B. Endicott, referee in bankruptcy. Creditors had charged Fox transferred all his assets to the All-Continent Corp., set up to handle the "irrevocable" trust fund formed for Fox's wife and daughters.

In yesterday's ruling, Judge Avis declared creditors must file a $100,000 bond above the $50,000 to satisfy any additional claims for administrative expense.

You'd better meet
JOHNNY APOLLO
see this week's Motion Picture Herald
20th Century Fox

Agnew Quizzed On Cancellation Rights

(Continued from page 1)

Kent, president of Twentieth Century-Fox, Agnew said and added "but no one listens to my objections."

Rentals for pictures licensed to Paramount affiliated circuits are usually determined by precedent and an analysis of the theatre chain's grossing ability, he stated. This system applied to Balaban & Katz in Chicago and the John Ford Circuit in New England, Agnew declared.

Rodgers testified that product of M-G-M was split between theatres merely because the customers desired it that way. There was no advantage to his company in that arrangement, he said.

It was out of the question for a company to undertake the sale of pictures individually, Rodgers continued. The only film handled in that manner was "Gone With the Wind" because of a specific request by the producer, the sales executive said. To sell pictures individually would involve a terrific amount of effort, he added.

An affiliated theatre will give a film "unusual" exploitation that could not be obtained from another house, Rodgers stated. No film can be properly sold if its advertisements and promotion are "stereotyped," Rodgers concluded.

Hughes Negotiating Deal with 20th-Fox

Hollywood, March 27.—Howard Hughes is negotiating with 20th Century-Fox for a releasing deal providing for the physical distribution of four features during 1940-'41, the pictures to cost between $750,000 and $1,000,000 each. Warners some time ago also started negotiations with Hughes, whose last picture was "Scarface" in 1932.

Twentieth Century-Fox, for the first time, is open to deals with outside producers to add to its next season's program. It has been reported that talks have been held with Samuel Goldwyn, but a deal with him is considered out of the question by company officials while he still has contractual ties with United Artists.

Altec Creates New Cincinnati District

Altec Service Corp. has created a new district, with headquarters in Cincinnati, according to L. W. Conrow, president.

Effective April 1, the following shifts in personnel have been made. Warren Conner, former Philadelphia branch manager, has been named manager of the new district, with M. G. Thomas as district supervisor. D. A. Peterson and W. R. Widenor have been named district supervisors in the Philadelphia district. The Detroit district, divided to form the new area, remains under the management of F. C. Dickely.

Fete Pasternak Today

Nate J. Blumberg, Universal president, and other home office executives will be host to Joe Pasternak, Universal producer, at a trade luncheon at the Astor today. About 50 film and circuit executives and trade press representatives will attend.

Purely Personal

LEON NETTER, Paramount home office theatre executive, is en route to Atlanta and Dallas for business conferences. He is expected back in about 10 days.

•

Howard Dietz, William F. Rodgers, George Skouras, Harry Goetz, Sam Shain, Mort Blumenst[illegible] Frederick Lange, Toby Gru[illegible], Owen Davis, Harry Buxbaum, Herman Gluckman and J. R. Grainger at Nick's Hunting Room in the Astor for lunch yesterday.

•

De Ward Jones of the Music Hall press department is the author of a book on photography, "Anyone Can Take Good Pictures," to be published by David Kemp & Co. James Sileo, photographer associated with the Music Hall, contributed.

•

Maurice Silverstone, W. Ray Johnston, Al Altman, George Weeks, Arthur Lee, Joseph Malcolm, Jack Cohn, Abe Schneider and James Mulvey lunching at Bob Goldstein's Tavern yesterday.

•

Tex Ritter, Monogram western star, will open a personal appearance tour next week, starting at the Rio, Odessa, Texas, and extending for six weeks.

•

Oscar Doob, Fred Schwartz, Adolph Zukor, Barney Balaban, Ted O'Shea, Charles Sonin and Lester Santley at Sardi's for lunch yesterday.

•

Chub Golladay, manager for Fox Midwest Theatres, at Moberly, Mo., is in Research Hospital, Kansas City, recuperating from two operations.

•

Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will return to New York today from Omaha.

•

H. L. Nathanson, general manager of Regal Films, Ltd., Toronto, is spending several weeks in Florida.

•

Harry F. Shaw, Loew-Poli division manager at New Haven, and his wife are vacationing in Mexico.

•

Abe Montague, Rube Jackter and Lou Weinberg lunching at Lindy's (50th St.) yesterday.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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IT'S READY AND IT'S
BIG!
It All Came True
by LOUIS BROMFIELD
Author of "The Rains Came"
YA-A-Y HARVARD!
Big day-date campaign backs up sensational full-month publicity that's still rolling!
WB
MARK OF SHOWMANSHIP

The big new story by Louis Bromfield (he wrote 'The Rains Came')! And no other star in all Hollywood could play its teasing, tempting, man-handling heroine the way it's done by

ANN Sheridan

in the big role that makes her a No. 1 Star Name now and for all time!

with
JEFFREY LYNN . HUMPHREY BOGART
ZASU PITTS • UNA O'CONNOR • JESSIE BUSLEY
JOHN LITEL • Directed by **LEWIS SEILER**
Screen Play by Michael Fessier and Lawrence Kimble
A Warner Bros. - First National Picture

WARNERS *for Showmanship!*

66 Films to Make Biggest RKO Year

(*Continued from page 1*)

which will deliver three Dr. Christian films; Franklyn Warner's Fine Arts Prod., on the schedule for two in Cosmocolor; Sam Coslow's and Jack Votion's Voco Prod., which will make one Lum and Abner vehicle, with options for two more, and Orson Welles, who is down for at least two.

Also, Herbert Wilcox, scheduled for two; Harold Lloyd, scheduled for one or two; Gene Towne's and Graham Baker's The Play's the Thing Prod., three or four pictures; Max Gordon and Harry Goetz, at least one, and Harold Franklin's "The Villian Still Pursued Her."

In addition, Boris Morros may deliver several, and there is a possibility that a deal will be made for a picture based on the Scattergood Baines radio program.

J. J. Nolan, studio head; Edington, Marcus, S. Barret McCormick, advertising and publicity director, and Perry Lieber, studio publicity director, are conferring on the new schedule this week. McCormick is scheduled to leave for New York by plane Sunday.

Kentucky Admission Tax Cut Is Now Law

Louisville, March 27.—Gov. Keen Johnson of Kentucky last night permitted the bill to lower state admission taxes to become law without his signature, as the 10-day period since the adjournment of the legislature expired at midnight.

The new law, effective June 12, will exempt from the tax civic, religious or charitable productions in municipally-owned park theatres. It also lowers the admission tax on tickets of more than 39 cents from one cent on each additional five cents to one cent on each additional 10 cents, and on admissions of more than $1, one cent on each additional 25 cents.

Gov. Johnson signed a bill for a tax up to 15 per cent on Bank Night awards and prizes offered in connection with amusements, including Bingo. This also becomes effective June 12.

Van Schmus to Take Operation of Center

W. G. Van Schmus, managing director of the Radio City Music Hall, will take over control of the operation of the Center Theatre on April 1.

At the same time, Kenneth L. Hyatt, in charge of the Center for the past five years, will be transferred to the Rockefeller Center executive offices.

Future policy of the Center, following the closing of "Pinocchio" on Sunday, has not been determined as yet.

'Rebecca' at $194,000 In Opening Five Days

"Rebecca," Selznick production distributed by United Artists, grossed a total of $194,000 in 21 theatres in 19 cities for opening five-day runs, according to Jack Schlaifer and Harry Gold, U.A. vice-presidents in charge of western and eastern sales, respectively. The period included the Easter weekend.

Wanger Alters Sheean Title To Keep Pace with History

Hollywood, March 27.—History has outraced Walter Wanger.

Events since his acquisition of Vincent Sheean's non-fiction book, "Personal History," have so changed the course of current European history that the producer, after having had the screen-play rewritten several times to keep up with the times, has decided not to retain the name of the book.

No new title has been set for the film, which has Joel McCrea, Laraine Day, Herbert Marshall and Robert Benchley in the principal roles.

The story to be used in the picture is entirely new.

"Rather than compromise a brilliant literary work or attempt to benefit from the renown of its title we are producing a new story and will give it a new title," Wanger said. "We are, however, filming a story suggested by Sheean's romantic quest for news and McCrea plays the role of an American reporter whose career is likewise a symbol of zealous inquiry and high adventure."

The film will offer a parallel to many events well known to the public without depending on the activities of any particular national force for its dramatic color, according to Wanger.

George Dillon, manager of Warners' operations in New Zealand, is in Hollywood on a short trip for studio conferences and a vacation. . . . M-G-M has renewed the contract of James A. FitzPatrick, travelogue producer, for five more years and he will make 12 color shorts annually. . . . Olivia de Havilland will get the top feminine role in "Episode," from the Walter Reisch best seller at Warners.

William Dieterle has been assigned to direct "This Man Reuter," in which Edward G. Robinson will portray the founder of the famous international news agency. Milton Krims wrote the script. . . . Bob Burkhardt is now associated with John LeRoy Johnston in handling Wanger publicity. . . . M-G-M is preparing a story giving the background of the founding of the Red Cross. It will be based on the book "Dumant," by Martin Gumpert. Norman Burnside is doing the treatment.

Charles Laughton and Carole Lombard will be co-starred by RKO in "They Knew What They Wanted," from the play of the late Sidney Howard. Erich Pommer will produce, and Garson Kanin direct. . . . M-G-M has extended the contract of William Daniels, cinematographer for the last 18 years. . . . Merian C. Coopor has left for Washington on a business trip. . . . Jean Muir plays the feminine lead in Columbia's "The Lone Wolf Meets a Lady," starring Warren William. . . . Charles R. Rogers has acquired, for Columbia production, "A Girl's Best Friend Is Wall Street," magazine story by Jane Allen. Loretta Young may do the lead.

Lloyd Nolan has been set for the lead of "Pier 13," Sol M. Wurtzel production at 20th Century-Fox. . . . Louis Bromfield has joined RKO to write the script for the Charles Laughton vehicle, "Half a Rogue." . . . Aron Coplan has been set by Sol Lesser to do the musical score for "Our Town." . . . The colored comedy team of F. E. Miller and Mantan Moreland will play the leads of "Mr. Washington Goes to Town," which Jed Buell is producing for Dixie National Pictures, Inc. Maceo E. Sheffield is associate producer and will also play a featured role. . . . Colin Tapley has joined the cast of "North West Mounted Police," a DeMille-Paramount film.

300 Are Expected At 'Eater' Premiere

More than 300 exhibitors and newspaper men are expected to attend the world premiere of Paramount's "The Biscuit Eater" at the Albany in Albany, Ga., on April 11.

Among theatre operators who are scheduled to attend will be: William M. Jenkins, Lucas & Jenkins; R. B. Wilby, Wilby-Kincey Circuit; M. A. Lightman, Malco Theatres; Mrs. Alma King, Brunswick, Ga., theatre executive, and others. Billy Lee, nine-year-old star of the film, will make a series of personal appearances in connection with the opening.

Exhibitors in N. E. To Honor Veteran

Providence, March 27.—Believed to be the oldest showman in New England and one of the pioneers in motion picture exhibition, A. A. Spitz will be honored by fellow exhibitors in Boston on April 30, the eve of his 90th birthday. The party will be handled by the Boston Friars' Club, with a cooperating committee of exhibitors from Rhode Island. Spitz built several theatres in Rhode Island, and is now a partner in the Associated circuit.

Ziegfeld Girls Club Annual Ball April 27

The Ziegfeld Girls Club will hold its annual ball and entertainment on April 27, at the Starlight Roof of the Waldorf-Astoria Hotel. George Jessel and former mayor James J. Walker will be the masters of ceremonies. Tickets are $7.50 and $10. The committee consists of Joy Lyons, Rose Vozzi, Kay English and Pearl Harris.

Ross Killed in Fire

Toronto, March 27.—C. T. Ross, 44, former president of the Allied Exhibitors of Ontario and owner of the Royal, Bowmanville, Ont., since 1921, was burned to death when fire gutted his residence at Bowmanville. Ross was alone in the house at the time and his body was discovered lying on a studio couch where he had apparently fallen asleep. Surviving are his widow and three children, one of whom was born a few weeks ago.

'1,000,000 B.C.' Premiere

The world premiere of Hal Roach's new production, "One Million B. C.," will take place April 5 at Loew's State Theatre in Louisville. The picture is a United Artists release.

Tips on Exploitation

'Rebecca' Search Used At Music Hall Opening

With the opening of "Rebecca" at the Music Hall today, United Artists, releasing the Selznick film, and the Music Hall, will start a search for the patron who most closely resembles the "Rebecca" of the film. This character, who never appears, is comprehensively described. Finals will be held at the house tomorrow, the winner to receive a Selznick screen test.

A "Rebecca" dance, with $50 cash prizes for the man and woman dancing at a given moment with "Rebecca" and "Maxim de Winter," film characters, will be held tomorrow evening at Mecca Ballroom. Professional models will impersonate the characters.

In cooperation with the New York *Journal-American,* U. A. and the Music Hall have launched a "Rebecca" essay contest, offering $525 in cash prizes for the best letters on the film's most dramatic scene.

Illustrators' Society Invited to 'Pinocchio'

John K. Hyatt, manager of the Center, in promoting the run of "Pinocchio," invited members of the Society of Illustrators to attend in a body. They were photographed at the theatre and several sent in drawings of "Pinocchio" from memory, some appropriate for newspaper reproduction.

100 Stars Expected At Cameramen's Ball

More than 100 radio, film and stage personalities are scheduled to make personal appearances at the Press Photographers Association's 11th annual dance and entertainment at the Hotel Astor on April 12. Mayor LaGuardia is expected to be among the 3,500 guests. Two orchestras will provide music for the dancing.

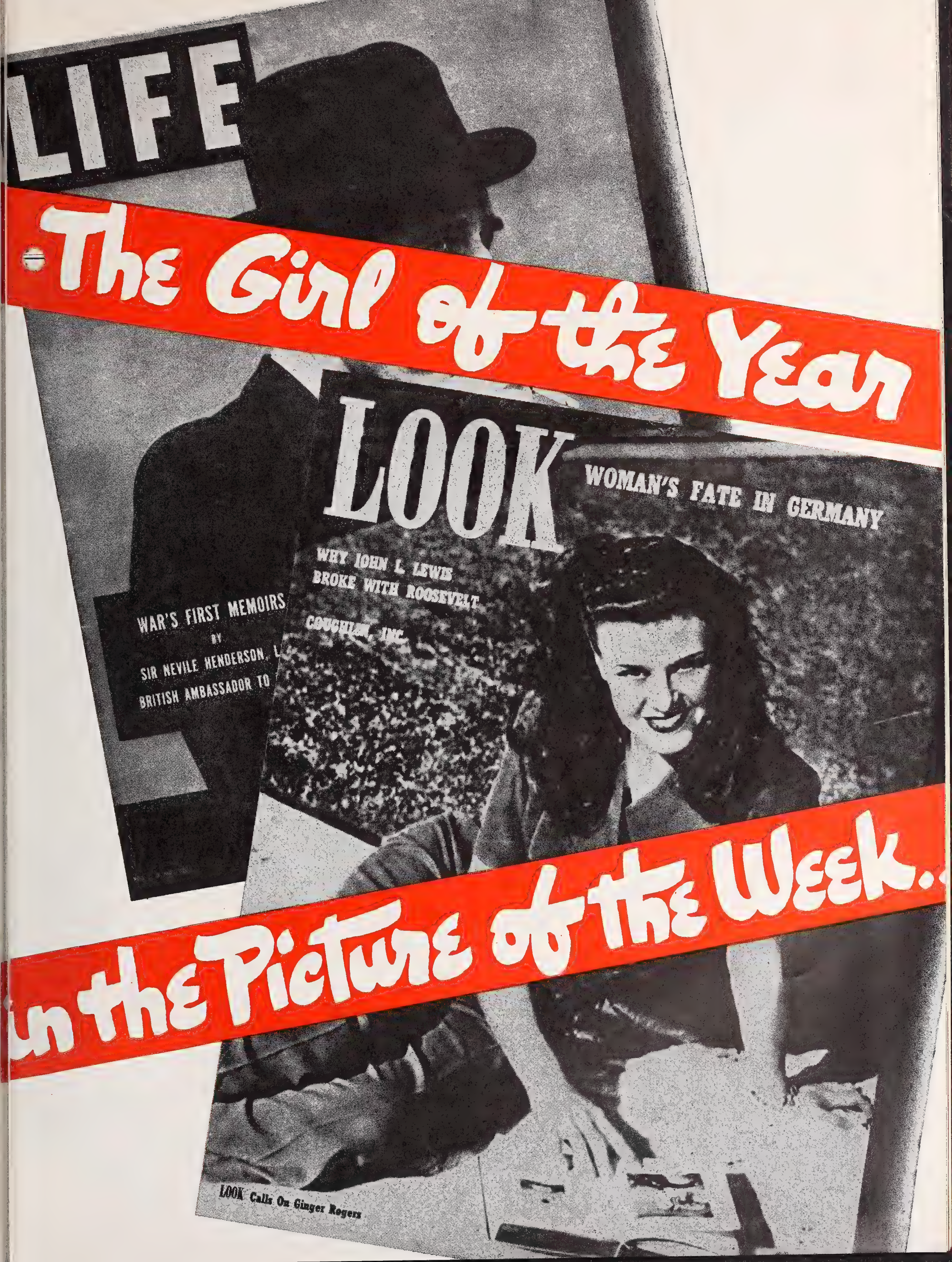
Among the stars scheduled to appear are: John Barrymore, Elaine Barrie, Eddie Cantor, Ruth Gordon, George Jessel, Joan Edwards, Milton Berle, Henny Youngman, Adrienne Ames, Harry Hershfield, Kate Smith, Nick Kenny, Julie Haydon, Bob Ripley, Lew Lehr, Wynn Murray, Fred Waring, Arthur Boran, William Gaxton, Marion Pierce, Benay Venuta, Don Popikoff, Molly Picon, Clyde Hager, Dinah Shore, Bert Wheeler, Benny Baker, Kit Kat Club Show, Ella Fitzgerald, Whitey Roberts, Teddv Wilson, Nite-Wits, Les Paul Trio, Paul Gregory, Gali-Gali, June Winters, Marie Austin, Pearl Robbins, Sister Rosetta Tharpe, Deane Janis.

B-K to Retire Preferred

Chicago, March 27.—All remaining preferred stock in the Balaban & Katz Corp.—12,745 shares—will be retired May 31. A bank loan negotiated recently supplies the funds. The stock is seven per cent cumulative with $100 par value.

Canadian Pioneers Dine

Toronto, March 27.—The charter dinner of the Canadian Picture Pioneers Club, of which Clair Hague, Canadian Universal representative, is temporary chairman, was held tonight, with several guests from the United States in attendance.


LIFE
The Girl of the Year
LOOK
WOMAN'S FATE IN GERMANY
WHY JOHN L. LEWIS BROKE WITH ROOSEVELT
COUGHLIN, INC.
WAR'S FIRST MEMOIRS
BY
SIR NEVILE HENDERSON,
BRITISH AMBASSADOR TO
in the Picture of the Week..
LOOK Calls On Ginger Rogers

LIFE MAGAZINE LOOK MAGAZI

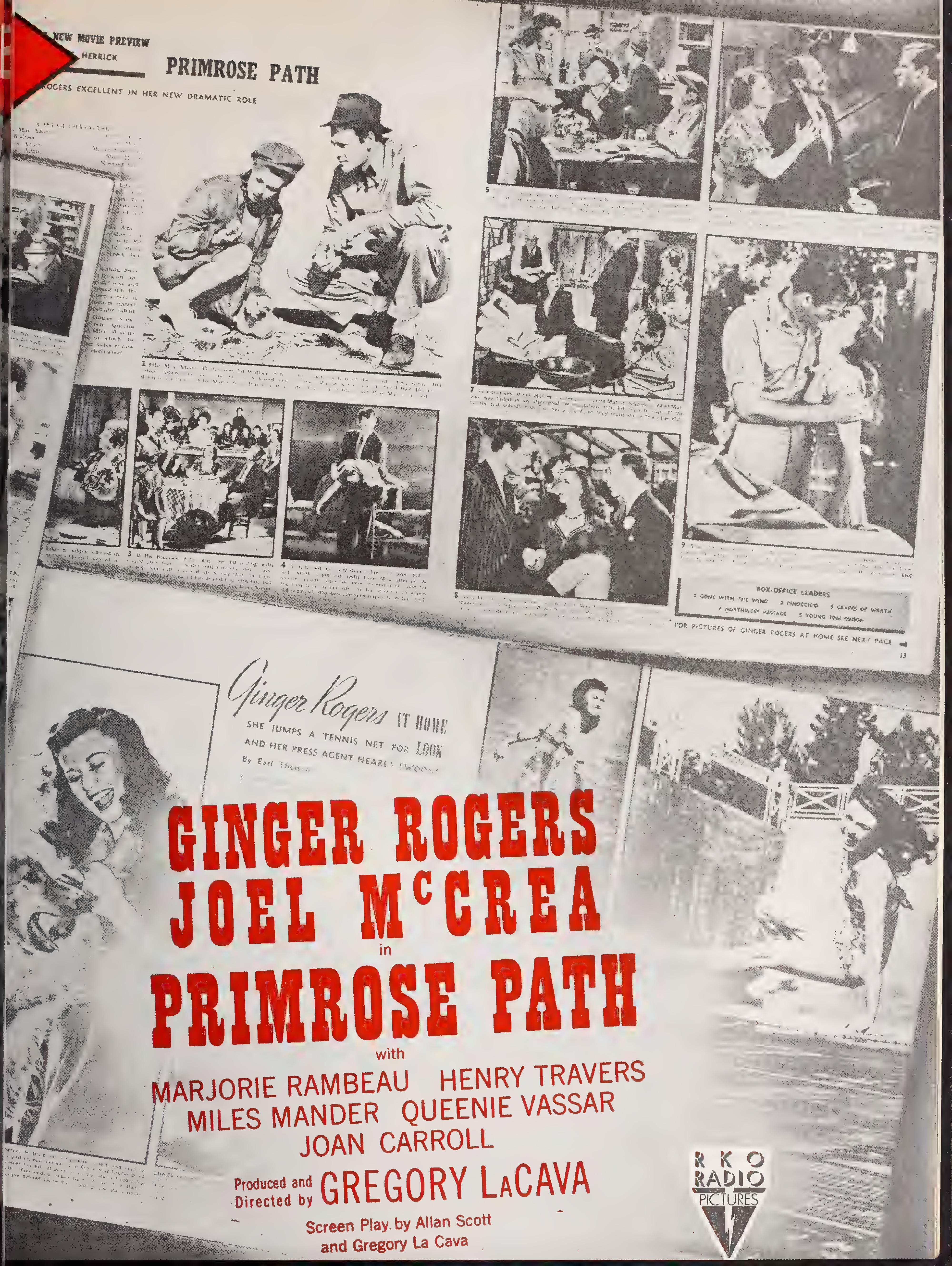
MOVIE OF THE WEEK:

Primrose Path

RKO screens the ribald romance

Held Over.. ROXY, N.Y.

"VASTLY ENTERTAINING . . . The chances are slim that we will see a better screen achievement the rest of this year"—N.Y. Herald-Tribune... "DEEPLY MOVING...One of the tenderest, funniest pictures of the year" —N. Y. Sun . . ."ARTFUL ROMANTIC COMEDY . . . Trips its way blithely, briskly, humorously and cannily"—N. Y. Times . . ."ROBUST COMEDY, brought out superbly by Gregory La Cava"—N. Y. World-Telegram.



NEW MOVIE PREVIEW

HERRICK

PRIMROSE PATH

ROGERS EXCELLENT IN HER NEW DRAMATIC ROLE

BOX-OFFICE LEADERS

1 GONE WITH THE WIND 2 PINOCCHIO 3 GRAPES OF WRATH

4 NORTHWEST PASSAGE 5 YOUNG TOM EDISON

FOR PICTURES OF GINGER ROGERS AT HOME SEE NEXT PAGE →

33

Ginger Rogers AT HOME

SHE JUMPS A TENNIS NET FOR LOOK

AND HER PRESS AGENT NEARLY SWOONS

By Earl Theisen

GINGER ROGERS
JOEL McCREA
in
PRIMROSE PATH

with

MARJORIE RAMBEAU HENRY TRAVERS
MILES MANDER QUEENIE VASSAR
JOAN CARROLL

Produced and Directed by GREGORY LaCAVA

Screen Play by Allan Scott
and Gregory La Cava

RKO RADIO PICTURES

Zanuck to Get New Contract For 5 Years

(*Continued from page* 1)

present salary. Schenck last year was paid $113,833.

Zanuck's compensation last year, under his present contract, was $255,000. The stock option runs for seven years beginning August, 1940, with the new employment agreement, which will have the same terms and conditions as his present contract.

The price that Zanuck shall pay for the stock, it is provided, shall be whichever of the following two amounts is higher: $13 a share, or an amount which is $1 in excess of the average price per share at which the common stock was sold on the New York Stock Exchange in lots of 100 shares or multiples thereof on the day prior to the stockholders' formal approval of the option.

The option at the stipulated terms is offered Zanuck as an inducement to agree to the new employment contract and also to encourage him to acquire additional shares of the corporation's common stock.

Granting of the option is conditioned on the execution of the new employment agreement and upon the surrender by Sidney R. Kent, president of 20th Century-Fox, of his cumulative stock option. Kent has agreed to surrender his option upon the stockholders' approval of the option to Zanuck.

Kent's cumulative option, provided in his employment contract and approved in 1935, provides that he may purchase 10,000 shares of the company's stock each year, not to exceed in the aggregate 60,000 shares at $18.24 a share. This option, which has not been exercised, was voted in addition to salary.

Kent's salary last year as principal executive officer of the corporation was $179,370, in addition to expenses of $10,400, at the rate of $200 a week, for which he does not have to account.

Zanuck is to pay the company for the stock in cash or New York bankable funds. The money is to be used for general corporate purposes as determined by the directors.

The cumulative number of shares to be delivered to Zanuck over the seven-year option period is as follows:

During the Period	Shares
Aug. 22, 1940, to Aug. 21, 1941	14,286
Aug. 22, 1941, to Aug. 21, 1942	28,572
Aug. 22, 1942, to Aug. 21, 1943	42,858
Aug. 22, 1943, to Aug. 21, 1944	57,144
Aug. 22, 1944, to Aug. 21, 1945	71,430
Aug. 22, 1945, to Aug. 21, 1946	85,715
Aug. 22, 1946, to Mar. 31, 1947	100,000

The option agreement may be changed or modified by mutual consent, subject to approval by the board, but this will not reduce the price per share or increase the number of shares which Zanuck may purchase.

Zanuck on March 1, this year, owned directly or indirectly 93,130 shares of common stock and 21,945 shares of preferred stock. In addition, 30,000 shares of common stock are held in certain irrevocable trusts for the benefit of Zanuck's family.

Mrs. Breese Dies

Beverly Hills, Cal., March 27.—Mrs. Harriet Breese, widow of Edmund Breese, screen veteran, died here yesterday.

20th-Fox Will Re-Elect 12 Directors; Salaries Bared

Twelve directors of 20th Century-Fox are to be reelected at the stockholders' annual meeting April 16.

Aggregate compensation paid last year to officers and directors of the company was $853,943, of which $831,693 was paid to officers for their services and $22,250 to directors for attendance fees and as compensation for serving on board committees.

This amount does not include $1,967 paid to Hayden, Stone & Co., of which John R. Dillon, a director, is a member, as brokerage fees, or any amounts on account of the stock option, or $10,400, the expense allowance to Sidney R. Kent, company president.

Kent under his employment contract last year received $179,370. Joseph M. Schenck, chairman of the board and executive head of production, under his contract, received $113,833. Darryl F. Zanuck last year received $255,000 salary.

The Chase National Bank, as of March 1, 1940, owned approximately 221,157 shares of common stock and 671,915 of preferred stock, constituting approximately one-third of the present outstanding voting stock. In addition, the bank holds, in various trust accounts, approximately 1,000 shares of common stock and 40 shares of preferred.

Directors proposed for re-election and their stock holdings are as follows:

H. Donald Campbell, 6/24 share of common and 6/12 preferred; John R. Dillon, one common, one preferred; Wilfred J. Eadie, one common, no preferred; Daniel O. Hastings, one common, no preferred; Felix A. Jenkins, one common, no preferred; Sidney R. Kent, 3,155 common and 6/12 preferred (Kent, in addition, has a contingent beneficial interest in 500 shares of preferred, held in trust for a member of his family); William C. Michel, 1,393 common and 6/12 preferred; William P. Phillips, one common, no preferred; Hermann G. Place, 6/24 common, 6/12 preferred; Seton Porter, 876 common, no preferred; Joseph M. Schenck, 110,042 common, 15,283 preferred; Sydney Towell, 33 shares common, 67 preferred.

Campbell and Place are officers of the Chase National Bank and represent the bank on the board.

William Goetz, vice-president of the company but not on the board, on March 1 owned approximately 178,342 shares of common and 55,283 preferred.

The approximate holdings of Schenck, Zanuck and Goetz aggregate about 19 per cent of the voting stock. These three were the stockholders of Twentieth Century Pictures, Inc., the assets of which were acquired by the merger of Twentieth Century-Fox Film Corp. in 1935.

Assembly Defeats Bill on Billboards

Albany, March 27.—The Assembly today defeated the Wright billboard regulation bill by a vote of 87-48.

Assemblyman William T. A. Webb, Smalley circuit manager at Sidney, led the opposition. Calling attention to his theatre connection, he declared that farmers would lose the $5 per board annual fee and that theatres would have to remove thousands of billboards.

Independent Studios Signed by Soundmen

Hollywood, March 27.—Eight independent studios and sound service organizations have signed bargaining contracts, calling for what amounts to 54 hours' pay for 42 hours' work, with Sound Technicians Local 695, I. A. T. S. E.

This was announced by the union today as it demanded a similar new deal from Republic and Walt Disney. Names of the eight signatories will be announced later this week, officials said.

After all independents have been signed, the union will make similar demands on all major companies.

Benny Premiere in N. Y.

Hollywood, March 27.—Paramount's "Buck Benny Rides Again" will have its world premiere at the Paramount, New York, on April 25. Jack Benny and others of the cast will attend with Mark Sandrich, producing director.

RCA Gives Support To F-M Broadcasts

Washington, March 27.—RCA believes that the time is ripe for use of ultra-high frequencies and that frequency modulation is best suited for broadcasting in these frequencies, Frank W. Wozencraft, general solicitor, told the F.C.C. today.

Wozencraft lost his plea to have allocation of frequencies in the 40 m.c. band postponed until after the April 8 hearing on television. He voiced his opposition to taking any frequencies now assigned to video and giving them to F-M. Television transmission will not use F-M, he added, and small cities and rural areas will always have to be served by amplitude modulation.

Alternative allocations, based on use of narrow, intermediate and wide band transmission were submitted by W. C. Lent, NBC director of research, in opposition to the plan for wideband allocations submitted by F-M Broadcasters, Inc. Lent said that 11 channels would be needed to give one station to each of 64 eastern metropolitan areas and 22 would be needed for complete allocation.

Wolf Wins Contest

Philadelphia, March 27.—William Wolf of the Allegheny was awarded first prize for the exploitation of the English horror dual, "The Demon Barber of Fleet Street" and "The Return of the Frog." The prizes were offered by the International Pictures Exchange here among Stanley-Warner managers in the territory.

Radio Brevities

The F.C.C. has no authority to compel a station to accept or reject a specific program but that does not stop listeners from sending complaints about shows. Here is a sample of some of the letters received recently:

A New Hampshire man wants radio to ban war songs.

A Philadelphian favors putting old jokes under instead of on the ether.

A New Yorker wants a particular religious program banned while another New Yorker protests the discontinuance of another religious program.

A Brooklyn dentist resents jibes about his profession, while from Massachusetts comes an objection to a toothpaste commercial.

Protests against liquor advertising are numerous. An Indiana writer protests a broadcast on astrology while a Californian asks the commission to approve a continuity on handwriting analysis.

Program Notes

Revivals of noted radio plays, "Landmarks of Radio Drama" will be used by NBC-Red to fill the Saturday, 8 P.M. spot while Arch Oboler is on vacation beginning this Saturday. . . . Schrafft Stores will go on the air in New York for the first time on Monday when sponsorship of transcribed salon music is begun over WQXR. Program will be heard Mondays through Saturdays at 6:30 P.M. with Thursdays omitted.

Film Makeup Radio Topic

The important part played by the make-up artist in the film studio will be described on the "Americans at Work" program over CBS next Tuesday at 10:15 P.M. The show will be picked up directly from the Max Factor laboratories in Hollywood and will feature Dr. Paul Jewell, chief consulting chemist for the laboratories.

'Cargo,' 'Primrose' Banned by Detroit

(*Continued from page* 1)

that the dialogue was objectionable and the general subject matter "obscene and indecent."

Eaman and Snyder will confer tomorrow with Nathaniel Goldstick, assistant corportion counsel, to determine what legal action will be taken if the studios contest the prohibition of the pictures.

If a local exhibitor attempts to show either of the pictures, he will be haled into court on the charge of displaying indecent movies, police officials said.

Death Takes Cowan, Ex-Wanger Official

Hollywood, March 27.—Death last night claimed James B. Cowan, 50, vice-president of Leland Hayward and Co., agency, and former vice-president and general manager of Walter Wanger Productions.

Cowan was identified with the show business for 30 years, starting with Klaw and Erlanger. From 1929 to 1932 he served as head of the shorts production at the Paramount Long Island studios. Following that he joined Jesse Lasky until 1935 when he became a Wanger executive.

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MOTION PICTURE
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First in
Film and
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Brief,
Accurate
and
Impartial

VOL. 47. NO. 63 NEW YORK, U. S. A., FRIDAY, MARCH 29, 1940 TEN CENTS

Republic Films Now in 12,132 U. S. Theatres

War Affects 18% of World Gross, Reports Yates

Republic films, including features, westerns and serials, showed in 12,132 theatres in the United States and Canada last year, compared with 10,856 accounts in 1938, M. J. Siegel, president of Republic Productions, reported yesterday at the stockholders' annual meeting of Consolidated Film Industries.

H. J. Yates, president of Consolidated, said that 18 per cent of Republic's world-wide gross has been affected by the European war. He said Republic showed a small profit last year and that there probably will be a profit in the current fiscal year ending April 30. Republic is controlled by Consolidated.

Distribution Cost Slashed

Siegel reported that the cost of distribution had been reduced from 37 per cent in 1937 and 32½ per cent in 1938 to 29 7/10 per cent in 1939. He said further revisions of the percentage terms are being negotiated with the franchise owners in order to bring Republic a larger share of the gross.

Aside from currency restrictions, Republic's business in the British Isles

(*Continued on page* 11)

Britain Keeps Quota; No War Revisions

London, March 28.—Confirming Motion Picture Daily's story of March 21, authoritative sources here today indicated that the Board of Trade, within a few days, will formally announce the retention of the existing quota regulations.

A British Government statement officially clarifying its future course of action on film legislation is expected within a week as result of a meeting yesterday of Government officials and trade representatives. The meeting was for the purpose of formulating a plan of procedure to assist the British industry in the war crisis, with its concurrent retarding of production.

The new quota year begins on April 1, and indications are that the Board of Trade will order the present quota continued until details are completed for any contemplated changes. Actual alterations in the present law can be made only by act of Parliament, and

(*Continued on page* 12)

Holiday Provides Boxoffice Punch, Keeps Grosses High

Pictures Are Held Over; 'Rebecca' Opens Strong At Music Hall

The tremendous holiday business at the Broadway boxoffice continues. There will be only one departure before next week's regular openings. This will be "Pinocchio" which on Sunday will end a 7½-week run at the Center.

Business is up 10-15 per cent all along the street. First shows are selling out almost as soon as the boxoffice opens and almost every house has added extra shows for the week.

With children out of school, matinee trade has jumped, while evening business is also way ahead because of the presence of many visitors in the city and families rejoined for the Easter holiday. Long queues are present at all boxoffices.

Two new pictures opened yesterday as the holiday drew near to a close. They were "Rebecca" and "Broadway Melody of 1940." All other films hold over.

"Rebecca" opened big at the Music Hall yesterday with an estimated gross of more than $16,000. "Broadway Melody of 1940" also opened strong at the Capitol.

"Primrose Path" with stage show at the Roxy grossed an estimated $50,000 for the week and is held over. At the Strand, "Virginia City," with George Olsen's band on the stage, drew an estimated $40,000 and is also

(*Continued on page* 12)

W.B. Give McClure New Zealand Post

A. G. McClure has been appointed managing director for Warners in New Zealand, succeeding George Dillon, who has arrived in New York for medical treatment. McClure had been assistant to Dillon, who will be given a new post later.

Ascap Ruling Lost By Nebraska State

Omaha, March 28.—Nebraska's application for a new trial of the action testing the constitutionality of its anti-Ascap law was denied by a three-judge Federal statutory court here today.

Arguments on the state's application were heard by the court last Monday. Herman Finkelstein of the law firm of Schwartz & Frohlich, Ascap's New York counsel, opposed the state's application.

It could not be learned whether the state would appeal the case to the U. S. Supreme Court, as ranking officials of the Attorney General's office are out of town and could not be reached for comment.

The Federal statutory court several months ago held the Nebraska anti-Ascap law to be unconstitutional.

Consolidated Film to Push Reorganization Program

A plan for financial reorganization of Consolidated Film Industries, Inc., is being considered by the management and may be submitted to the stockholders this year, stockholders were informed at their annual meeting yesterday by M. H. Lavenstein, general counsel of Consolidated.

Lavenstein said that within the next six months the Delaware courts are expected to hand down a decision which will clarify the legal situation affecting recapitalizations of Delaware corporations. Consolidated's original recapitalization plan was invalidated in Delaware about three years ago.

Stockholders who spoke at the meeting showed interest in speeding a plan with the aim of wiping out dividend arrearages of $8 a share on the first preferred stock, now amounting to about $3,200,000. In such event, the common stock would be placed in a better earning position.

With a total of 506,179 shares of preferred and common stock represented, the stockholders reelected four directors for three years, including Herbert J. Yates, Walter W. Vincent, Ralph I. Poucher and W. P. Stevens

The directors later reelected the following officers: H. J. Yates, president; J. L. Aller, R. I. Poucher, M. J. Siegel, W. W. Vincent, vice-presidents; H. J. Yates, Jr., vice-president and treasurer; J. E. McMahon, secretary; R. S. Rodgers, E. H. Seifert, N. K. Loder, assistant treasurers; A.

(*Continued on page* 4)

Four Reasons Cited for Delay Of Trust Trial

Start on May 1 Unlikely; Pre-Trial Quiz Slow

Four reasons for a delay in the start of the trial of the Government's New York trust suit against the major companies, now scheduled for May 1, have developed in the past week.

The first factor, which will in all likelihood necessitate a request for postponement, is that two important defense attorneys are now engaged in the trial of a suit in the N. Y. Supreme Court against a number of oil companies. These attorneys are John W. Davis, chief trial counsel for Paramount, and Ralph Harris, slated to represent Twentieth Century-Fox. The oil litigation, which started before Justice Samuel I. Rosenman six weeks ago, will continue for a minimum of two more months, it was authoritatively said.

The second reason for delay is the lag in pre-trial examinations of motion picture officials, now far behind schedule. In two months the Government has only examined twelve executives and 14 remain to be questioned. Although the Government has made efforts lately to quicken the pace of examinations, it has only been able to average two hearings a week. Even with further acceleration, examinations

(*Continued on page* 11)

U. S. Questions Fox Sales Officials Next

William Kupper and William Sussman, Western and Eastern sales managers of Twentieth Century-Fox, will be questioned Wednesday on Fox distribution policies in reference to the Government's "key" anti-trust suit, Government attorneys announced yesterday. Abe Montague, sales head of Columbia, will testify Thursday.

Government attorneys also stated that efforts were being made to arrange for the appearance of Adolph Zukor, chairman of the board of Paramount, and Darryl F. Zanuck, production chief of Twentieth Century-Fox, some time during the coming week.

Neil F. Agnew, vice-president of Paramount in charge of sales, yesterday wound up his testimony by describing negotiations of his company for first-run sales in the Government's list of 36 key cities. Most of Paramount's first-run accounts have re-

(*Continued on page* 11)

Purely Personal

W. A. Scully, Universal vice-president and general sales manager, will leave for the Coast by plane today for four or five days conferences at the studio on new season's production plans.

•

Guy Bolton, Vernon Duke, Russel Crouse, Sam Shain, Lee Shubert, Al Lewis, Austin Keough, Arthur Margetson, Arthur Krecke, Morris Kinzler and William Melniker at Sardi's for lunch yesterday.

•

Madeleine White, secretary to W. Ray Johnston, Monogram president, and Hazel Benton, of the statistical department at National Theatres, sail for a 24-day Latin American cruise today on the *Amazone*.

•

Benjamin F. Miggins, European manager for 20th Century-Fox, and W. E. Willems Van Beveren, his assistant, sail on the *Conte di Savoia* tomorrow en route to their Paris headquarters.

•

Harry Goetz, Sam Harris, William F. Rodgers, Charles E. McCarthy, William Morris, Jr., and Max Gordon at Nick's Hunting Room in the Astor for lunch yesterday.

•

Walter Reade, Edward A. Golden, Marvin Schenck, Tom Loach, Harry Thomas, John Eberson, Harry Gold and Lynn Farnol lunching at Bob Goldstein's Tavern yesterday.

•

Charles E. McCarthy, 20th Century-Fox advertising and publicity director, has moved back to Nutley, N. J., after spending the Winter in the city.

•

A. A. Schubart, manager of exchange operations for RKO, leaves today with Mrs. Schubart for a Florida vacation.

•

Nat Saland, president of Mercury Film Laboratories, is flying from California tonight and will be in New York tomorrow.

•

Ian McKenzie, British actor, is here en route to Hollywood to arrange for a production of "Richard III" in modern dress.

•

M. J. Siegel, president of Republic Productions, leaves for the studio tomorrow following a week in New York.

•

Hattie Helborn, secretary to Nicholas M. Schenck, president of Loew's, is vacationing on the Coast.

•

Ernest Van Pelt, M-G-M exploitation representative in Salt Lake City, observes a birthday Sunday.

•

William Hornbeck, film editor for Alexander Korda, arrived on the *Conte di Savoia* yesterday.

•

Sylvia M. Sewards, secretary to C. G. Moskowitz of Loew's, is vacationing on the Coast.

•

Leonard Goldenson, Paramount home office theatre executive, will return today from Atlanta where, with Leon Netter, also of the home office, he conferred with E. V. Lucas and Arthur Jenkins. Netter is en route to Dallas to confer with Karl Hoblitzelle and R. J. O'Donnell.

•

Fred Lange, general European representative for Paramount, is scheduled to sail for Europe, April 6, on the *Washington*, following a six-week home office visit.

•

Fred Ullman, former vice-president of RKO Pathe News, will leave for the Coast Monday by train to begin his new assignment as an RKO producer.

•

Stanton Griffis, chairman of the Paramount executive committee, will return to New York today from a month's vacation in Florida.

•

L. J. Ludwig and John J. Friedl of Minnesota Amusement Co. are in New York for Paramount home office conferences.

•

O. C. Doering, Jr., of counsel for RKO, will leave tomorrow for a week's vacation in Canada.

•

Adolph Schimel, Universal home office attorney, is expected from the Coast by plane today.

•

Toni Spitzer of the RKO publicity staff leaves today for a vacation in St. Augustine, Fla.

•

Gene Raymond is in town for a week from the Coast.

Lytell Likely to Stay As Equity President

Continuation of Bert Lytell as president of Actors Equity loomed as a certainty yesterday as he announced that he would accept renomination for the post if it is offered to him. His decision, it is said, will eliminate any contest for the presidency.

Equity will hold a special meeting at 2 P.M. today at the Hotel Astor for the purpose of designating six additional members of the nominating committee which will select the regular slate for all officers for the next three years, 10 members of the council for five-year terms and three replacements for council members.

Maida Reade, Dudley Digges and Glen Anders are the three members of the committee who have been designated by the council.

Immediately after the special meeting, the first quarterly meeting of the year will follow. Unemployment in the theatre and the advisability of raising the minimum salaries of $40 weekly will receive priority on the agenda. Elections will take place during the last week in May or the first in June.

M'Guire to Organize Production Company

Hollywood, March 28.—Negotiations are under way for William Anthony McGuire to form a new production company. McGuire will act as writer and producer.

First of the proposed pictures will be "Faith, Hope and Mary Potter," an original by McGuire. Claudette Colbert is sought for the lead. McGuire is now on a picture-to-picture deal as writer-producer at 20th Century-Fox, where he is preparing a film on the life of Sam Dreben.

Newsreel Parade

Demonstrating a new deadly bomb, launching a submarine in New Hampshire and Sumner Welles in London head the list of important events in the new issues. The reels and their contents follow:

MOVIETONE NEWS, No. 58—Patrols at Western front. Duke of Windsor at front. Tanks aid French farmers in plowing. Egypt's camel corps in training. Dutch submarine sinks after crash. British freighter split by U-boat. New submarine in New Hampshire. Test high explosive in Maryland. Fashions in glass. Horse racing. Police dogs trained in Australia. Ski race at Sun Valley.

NEWS OF THE DAY, No. 256—Finns destitute after war. Welles in London. Egyptian army guards Nile. New bomb tested. Woodring defends plane sales to Allies. Blizzard in New York. Al Smith in barber shop quartet. Ice hockey championships.

PARAMOUNT NEWS, No. 61—Gymnast competitions at West Point. Hitler and Mussolini meet in Alps. Short-wave transmission impaired; telephone technicians battle sun spots; wire photos irk newspaper editors; Prof. Barton explains the phenomena. Launch new submarine. Costa Rica's President-elect visits Washington. Prime Minister King wins Canadian election. "Barber Shop Quartet" contest set for World's Fair.

RKO PATHE NEWS, No. 73—Hull greets President-elect of Costa Rica in Washington. British test new bombers. Kennedy meets Welles in London. Count Ciano meets Von Ribbentrop in Rome. Dutch submarine and patrol boat in crash. Mackenzie King reelected in Canada. Woodring defends sale of airplanes to Europe. Inventor demonstrates new liquid-oxygen explosive.

UNIVERSAL NEWSREEL, No. 862—Finns in exodus from Russian-acquired areas. British pursuit planes take off to battle enemy bombers. Blizzard in upper New York. New explosive demonstrated. Mackenzie King wins Canadian election. Test new stratosphere plane. Skiing in swim suits. Amateur boxing bouts in Richmond. Ski meet at Sun Valley.

MacLeod Honored By Loew Executives

John Sutherland MacLeod, in charge of exchange maintenance and branch service for M-G-M, was guest of honor at a luncheon given by his associates at the Hotel Lincoln yesterday in observance of his 25th anniversary with the company.

On March 29, 1915, MacLeod started in C. K. Stern's auditing department at Metro. Later he was in production and sales. A son, Donald S. MacLeod, is head booker for M-G-M in Indianapolis.

Attending the luncheon were Edward M. Saunders, Western division manager; A. F. Cummings, head of exchange operations; Charles Sonin, Jay Gove, M. L. Simons, Ross MacLeod, Ernest Morrell, Irving Helfont, I. Hirsch, William Orr, Harold Postman, William Reilly, Max Wolff, Charles Deesen, Sam Braunberg, William Brennan, Ira Martin, Arthur Lacks.

George Harris Dies In Manila Accident

George F. Harris, veteran film man, was fatally injured in an automobile accident in Manila two days ago, according to word received in New York yesterday by friends.

Harris had been active in native film production in the Philippine Islands for a number of years. One of his last productions to be distributed in America was "Zamboanga," which was distributed by the former First Division exchanges in 1937.

100 Trade Leaders Honor Pasternak

Approximately 100 metropolitan theatre operators, Universal home office executives and trade press representatives attended a luncheon for Joe Pasternak, Universal producer, at the Hotel Astor yesterday.

William A. Scully, Universal vice-president and general sales manager, introduced Pasternak as the Hollywoodite with the unusual record of seven consecutive "hit" pictures with the same star to his credit.

Pasternak responded with an expression of appreciation for exhibitor cooperation and said the Universal production organization would continue to better its record so long as it had exhibitor support.

"We won't make the multi-million dollar pictures, though," he said. "We'll make the 25-40 and 50-cent kind for the millions who want them."

Among those who attended were: Terry Ramsaye; John J. O'Connor, Fred Meyers, Max Fellerman and Harry Mandel of RKO Theatres; Oscar Doob and Eugene Picker, Loew's; George Skouras, John Benas, William Powers, Milton Hossfeld, William White and Edward Zabel of Skouras Theatres; Clayton Bond, Ed Hinchy, Leonard Schlesinger, Don Jacocks, Harry Goldberg and I. J. Hoffman of Warners Theatres; Fred Schwartz, Sam Goodman and Al Hovel of Century Theatres.

Also Leo Justin and Morris Jacks, Walter Reade Theatres; William P. Phillips, United Artists Theatres; Joseph M. Seider, Prudential Circuit; Arthur Mayer, Rialto; Leo Brecher, Plaza; Joe Philipson, Paramount Theatres; Sam Rinzler, Irving Kaplan and Manny Frisch, Randforce, and J. J. Thompson, Cocalis Theatres. Also Si Fabian, Harry Brandt, Jack Hattem, Harry Katz and Harold Eskin.

Universal executives, besides William A. Scully included Nate J. Blumberg, president; J. Cheever Cowdin, board chairman; Charles D. Prutzman, Joseph Seidelman, William J. Heineman, Peyton Gibson, F. T. Murray, J. J. Jordan, Leo Abrams, Louis Pollock, Hank Linet, Morris Alin, Andy Sharick and Fortunat Baronat.

RKO Signs Hinsdell

Hollywood, March 28. — Oliver Hinsdell has been signed to take full charge of the dramatic training of all RKO contract players.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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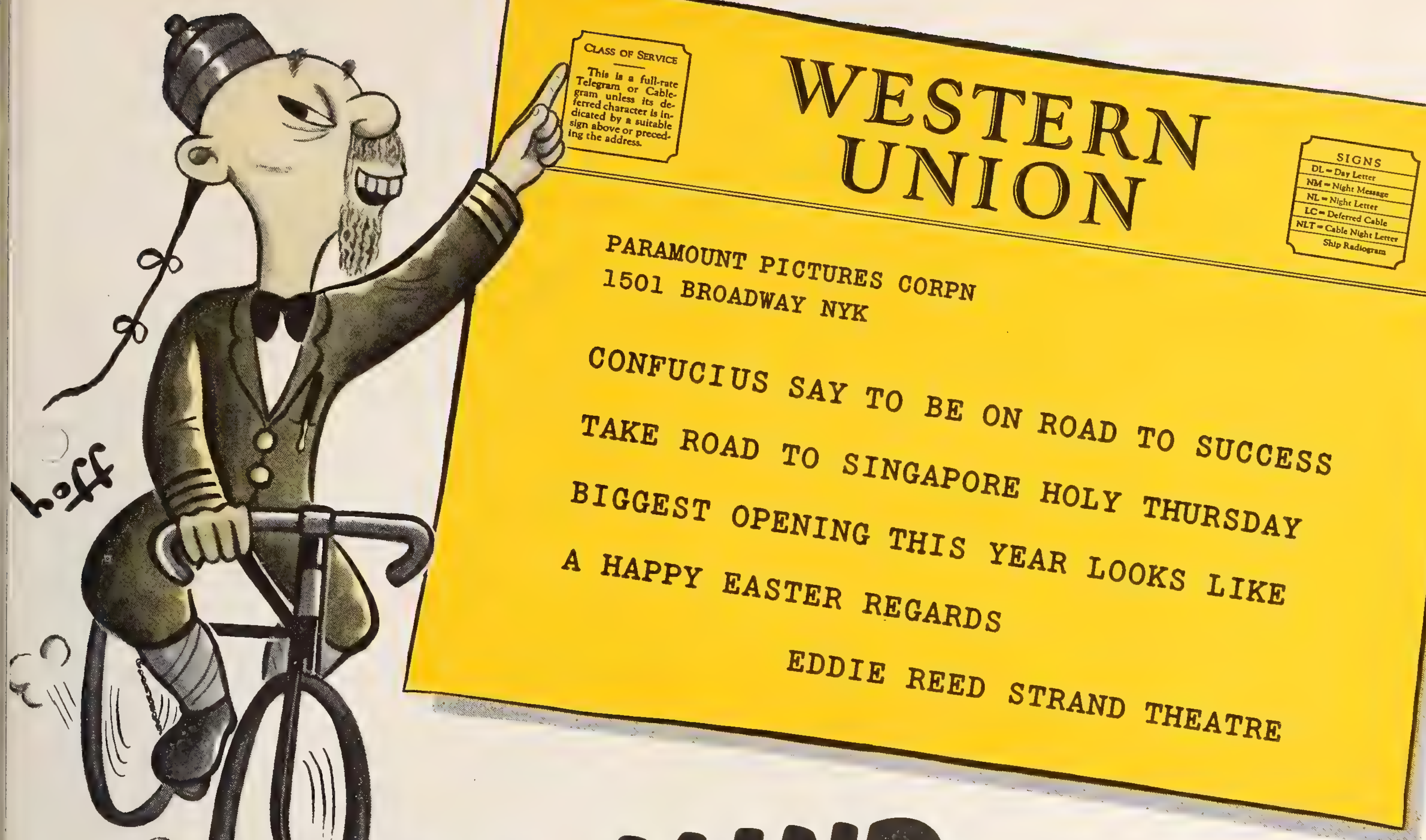

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PARAMOUNT PICTURES CORPN
1501 BROADWAY NYK

CONFUCIUS SAY TO BE ON ROAD TO SUCCESS
TAKE ROAD TO SINGAPORE HOLY THURSDAY
BIGGEST OPENING THIS YEAR LOOKS LIKE
A HAPPY EASTER REGARDS

EDDIE REED STRAND THEATRE

NEVER MIND CONFUCIUS, ED!

Old man box office say: **"Paramount's 'Road to Singapore' beats record-breaking 'Union Pacific' in 40 key cities . . . proves 'Road to Singapore' is paved with (s)miles and (s)miles of happiness . . .** **and watch old man box office grin when 'Buck Benny Rides Again'!"**

Where "Road to Singapore" is beating "Union Pacific"

New York
Chicago
Miami
Los Angeles
Buffalo
Kansas City
Newark
Paterson
Jacksonville
St. Petersburg
Cedar Rapids
Davenport
Des Moines
Little Rock
Houston
Beaumont
Wheeling
Boston
New Haven
Hartford
Memphis
Minneapolis
St. Paul
Duluth
Peoria
South Bend
Toledo
Detroit
Milwaukee
Oakland
San Diego
San Francisco
Philadelphia
Waterbury
Louisville
New London
South Norwalk
Providence
Lexington
Stamford

"ROAD TO SINGAPORE" Bing Crosby • Dorothy Lamour • Bob Hope
Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZINGER

'Edison' Dual Frisco's Best With $14,000

SAN FRANCISCO, March 28.—"Young Tom Edison" and "Ghost Comes Home" did $14,000 at the Fox, with business generally off due to bad weather. "Gone With the Wind" was still strong with $28,000 in the eighth week at Warfield.

Estimated takings for the week ending March 19-22:

"The Big Guy" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $14,000. (Average, $15,000)

"Black Friday" (Univ.)
"House of Seven Gables" (Univ.)
ORPHEUM—(2,440) (15c-30c-35c-40c) 7 days. Gross: $7,400. (Average, $8,000)

"Young Tom Edison" (M-G-M)
"The Ghost Comes Home" (M-G-M)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $14,000. (Average, $16,000)

"Brother Rat and A Baby" (W. B.)
"A Child Is Born" (W. B.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $10,000. (Average, $11,500)

"Over the Moon" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $6,800. (Average, $8,000)

"Dr. Ehrlich's Magic Bullet" (W. B.)
"Young As You Feel" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)

"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (75c-$1.10) 7 days, 8th week. Gross: $28,000. (Average, $12,000)

"Harvest" (Cinema Center)
CLAY — (400) (15c-35c-40c) 7 days, 5th week. Gross: $900. (Average, $1,000)

"Club De Femmes" (French)
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $800. (Average, $1,000)

Lloyd and His Cast On 3,000-Mile Trek

HOLLYWOOD, March 28. — Frank Lloyd and members of the cast of "The Tree of Liberty" will leave here Sunday for Williamsburg, Va., to start shooting on the picture, Lloyd's first for Columbia.

Cary Grant, Sir Cedric Hardwicke, Richard Carlson and Alan Marshal are among those making the 3,000-mile location trip. Attached to their train will be 15 baggage cars of technical equipment, wardrobe accessories and 14 different types of carriages of pre-Revolutionary days.

Mrs. Chas. Hertzig Dies

Funeral services for Mrs. Charles Hertzig, 51, wife of the partner of David Weinstock in Raybond Theatres, will be held at 11 A. M. today at the Riverside Memorial Chapel. Burial will be at the Montifiore Cemetery, Springfield, L. I. She died yesterday. A son, Emanuel, and a son-in-law, J. Joshua Goldberg, also are associated with the circuit in executive capacity. Others surviving are two daughters and another son, Sol.

Extend Fox Case Time

Federal Judge Murray Hulbert yesterday signed an order extending for two years the time of Capital Co. to prosecute proceedings against William Fox for the collection of a judgment of $297,412 won by Capital in 1935. According to affidavits filed, Capital has been restrained from proceeding with its suit to recover over $200,000 still due until Fox bankruptcy proceedings have been concluded.

Critics' Quotes . . .

"VIRGINIA CITY" (Warners)

A spectacular but only so-so super-Western . . . has moments of fine cinematic excitement, but they are rarely inter-related.—**Howard Barnes, New York Herald Tribune.**

There is enough concentrated action in the picture, enough of the old time Western sweep, to make it lively entertainment.—**New York Times.**

An absorbing melodrama. . . . Under Michael Curtiz' direction, the story moves swifty and interestingly to its satisfactory conclusion.—**Kate Cameron, New York Daily News.**

Recommended for fans who love wild westerns with plenty of action. shooting and melodrama. . . . The acting and direction are excellent and the fine photography something to write home about.—**Lee Mortimer. New York Daily Mirror.**

Warner Brothers have woven a movie thriller that is part Civil War spy story, part boom town melodrama, a large part wild-riding, wild-shooting, good old wild western.—**Mildred Martin, Philadelphia Enquirer.**

Audience reaction finally reaches a point where silent approval or disapproval seems insufficient and applause becomes the medium of expression.—**Dorothy Guinan, Philadelphia Daily News.**

Everything about this attraction is splattered with bold, primary colors. . . . You've seen it all before but not on so large a scale.—**Henry T. Murdock, Philadelphia Ledger.**

"Virginia City" is in the manner of "Dodge City" and all other horse operas. . . . Western addicts may find it exciting.—**Laura Lee, Philadelphia Bulletin.**

"REBECCA" (Selznick-United Artists)

Rare cinematic achievement, a perfect picture. . . . It would not be surprising if Mr. Selznick, whose "Gone With The Wind" was given the Academy Award for 1939's best film, will win the 1940 award for "Rebecca."—**Boston Post.**

Magnificently mounted, directed with all the famous Hitchcock skill, and imaginative in its development of plot. "Rebecca" is a picture that ought to be a box-office success from the very first day.—**Boston Daily Globe.**

The Du Maurier mystery drama is perfectly adapted to the Hitchcock technique, and actually gains by cinematic treatment.—**Boston Herald.**

A worthy successor to "Gone With The Wind" . . . another of the season's finest films, one especially rich in telling scenes.—**Edwin Schallert, Los Angeles Times.**

David O. Selznick, who did such a magnificent job with "Gone With The Wind," has again taken a popular novel and made a picture of surpassing interest.—**Louella O. Parsons, Los Angeles Examiner.**

An excellent piece of cinema merchandise . . . startling with its sustained suspense.—**Jimmy Starr, Los Angeles Herald-Express.**

Hearing in Landis Trust Suit Today

PHILADELPHIA, March 28.—Federal Judge William H. Kirkpatrick will hear arguments here tomorrow on a motion submitted by Warner Bros. and the major distributors who are defendants in the Landis Theatre anti-trust suit for quashing or modifying an order directing them to produce their books and records for the plaintiff's inspection.

Contention is made by the defendants that the books and records sought are not necessary for the adjudication of the case.

The Landis anti-trust suit is scheduled for trial before Judge Kirkpat rick on April 8.

Caron Files Appeal

Notice of appeal from a decision of N. Y. Supreme Court Justice Pecora, who denied an injunction to restrain exhibition of "Primrose Path," was served upon attorneys for RKO-Radio yesterday. Caron Corp., plaintiff, recently filed suit against RKO and Roxy Theatre, contending that the film disparaged one of its perfume products in a sequence.

Ontario Releases 'Time'

TORONTO, March 28.—Following the Federal elections on Tuesday, the "March of Time" release, "Canada at War" has been approved by the Ontario censor. It will open at the Imperial here Friday.

Guilds Demand End Of Agencies' Union

HOLLYWOOD, March 28.—Kenneth Thomson, president of the Screen Actors Guild and second vice-president of the Associated Actors and Artistes of America, has telegraphed a request to William Green, president of the American Federation of Labor, asking withdrawal of the A. F. L. charter to the Amusement Agencies Employes Union.

Support has been given Thomson's move by Joseph Weber, president of the American Federation of Musicians, and I. B. Kornblum, Los Angeles executive secretary of the American Guild of Variety Artists. The guild leaders claim the Amusement Agencies union represents booking and employment agencies, with members not eligible for union membership, since they are employers.

Finish Yiddish Film

"Americana Shadchen," Yiddish comedy, has been completed at the Film Art Studios under the direction of Edgar G. Ulmer. The picture, partly in English dialogue, has English titles and stars Leo Fuchs. Fame Films is producer and distributor.

Parsons Leaving Col.

HOLLYWOOD, March 28.—Harriet Parsons, producing "Screen Snapshots" for Columbia, will leave the lot after completing the current short and will be replaced by Ralph Staub, who originated the idea years ago.

'Bay' Draws Good $11,300, Philadelphia

PHILADELPHIA, March 28.—While weather conditions were favorable, the usual Holy Week slump set in. However, the downtown houses for the most part went over their averages with some houses reporting the best Holy Week business in years.

Estimated takings for the week ending March 21:

"The House Across the Bay" (U. A.)
ALDINE—(1,700) (32c-42c-57c-68c) 7 days. Gross: $11,300. (Average, $8,000)

"Remember the Night" (Para.)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $3,200. (Average, $2,600)

"Young Tom Edison" (M-G-M)
BOYD—(2,400) (32c-42c-57c-68c) 7 days. Gross: $15,900. (Average, $13,000)

'Gone With the Wind" (M-G-M)
EARLE—(4,000) (75c-$1.14) 7 days, 9th week. Gross: $19,800. (Average, $14,000)

"I Take This Woman" (M-G-M)
FOX — (3,000) (32c-42c-57c-68c) 7 days. Gross: $14,100. (Average, $13,000)

"Dr. Ehrlich's Magic Bullet" (W. B.)
KARLTON — (1,000) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $4,300. (Average, $3,000)

"Northwest Passage" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,200. (Average, $3,500)

"Strange Cargo" (M-G-M)
STANLEY — (3,700) (32c-42c-57c-68c) 7 days, 2nd week. Gross: $9,100. (Average, $14,000)

"Three Cheers for the Irish" (W. B.)
STANTON—(1,700) (32c-42c-57c) 7 days. Gross: $5,300. (Average, $4,500)

"Little Old New York" (20th-Fox)
CARMAN — (2,500) (26c-32c-42c) subsequent run, 7 days, with vaudeville bill, including Red Donahue, Five Jewels, Randall Sisters and Jans and Linton. Gross: $7,650. (Average, $5,200)

"Married and In Love" (RKO)
FAY'S — (2,000) (15c-25c-32c-40c-57c) 7 days, with vaudeville bill, including Allabazi; Ingagi and Valerie Deslys; Dale Rhodes; Maxine Bros. and Bobby; Jack McBride & Co., and Keller Sisters. Gross: $6,200. (Average, $7,200)

Consolidated Plans For Reorganization

(*Continued from page 1*)

E. Schiller, assistant secretary.

Reporting an increase in film laboratory business last year, Poucher, who is vice-president in charge of sales, said that net sales from 35mm. operations in 1939 were $4,216,392, compared with $4,149,791 in 1938, besides 35mm. sales by the Hollywood laboratory of $1,057,936 last year, against $898,780 the year before. Sixteen millimeter operations increased 20 per cent.

Poucher said the Ft. Lee (N. J.) plant this month will turn out more than 30,000,000 feet of positive printing, a record for Consolidated.

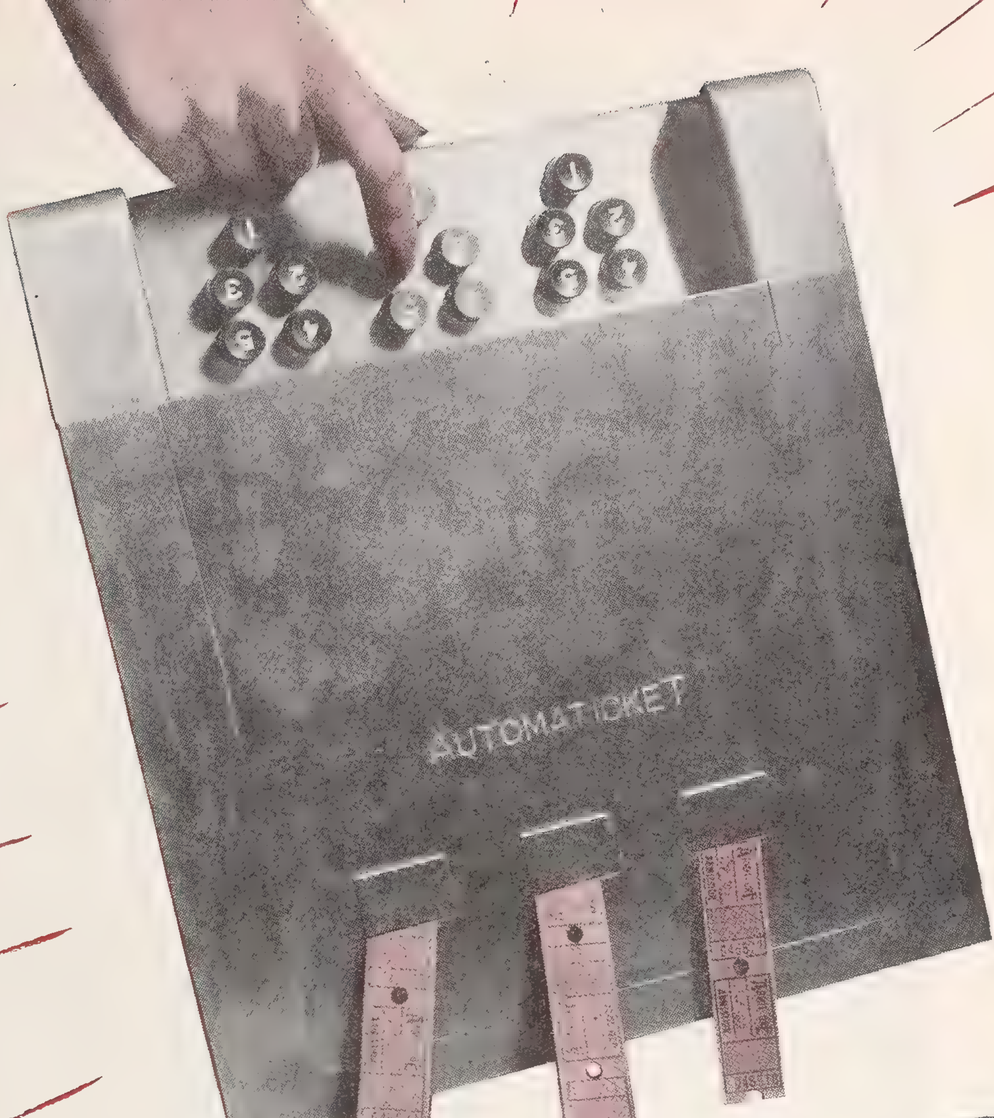
Yates told the stockholders that the company will be prepared to handle color work as soon as Eastman Kodak Co. perfects a process on which it is working. The process is to be made available to Eastman's customers without additional cost, said Yates. He foresees no wide use of color films until the cost is brought down to approximate black-and-white film work.

S. W. G. Meets Monday

HOLLYWOOD, March 28.—The Screen Writers Guild has set an open board meeting for Monday night at the Roosevelt Hotel to discuss several matters, including the plan to franchise agents and future steps in the halted negotiations for a bargaining agreement with producers.

HOT!

That ticket
machine at the
Big Capitol!
Busiest on
Broadway
yesterday!



HIT!

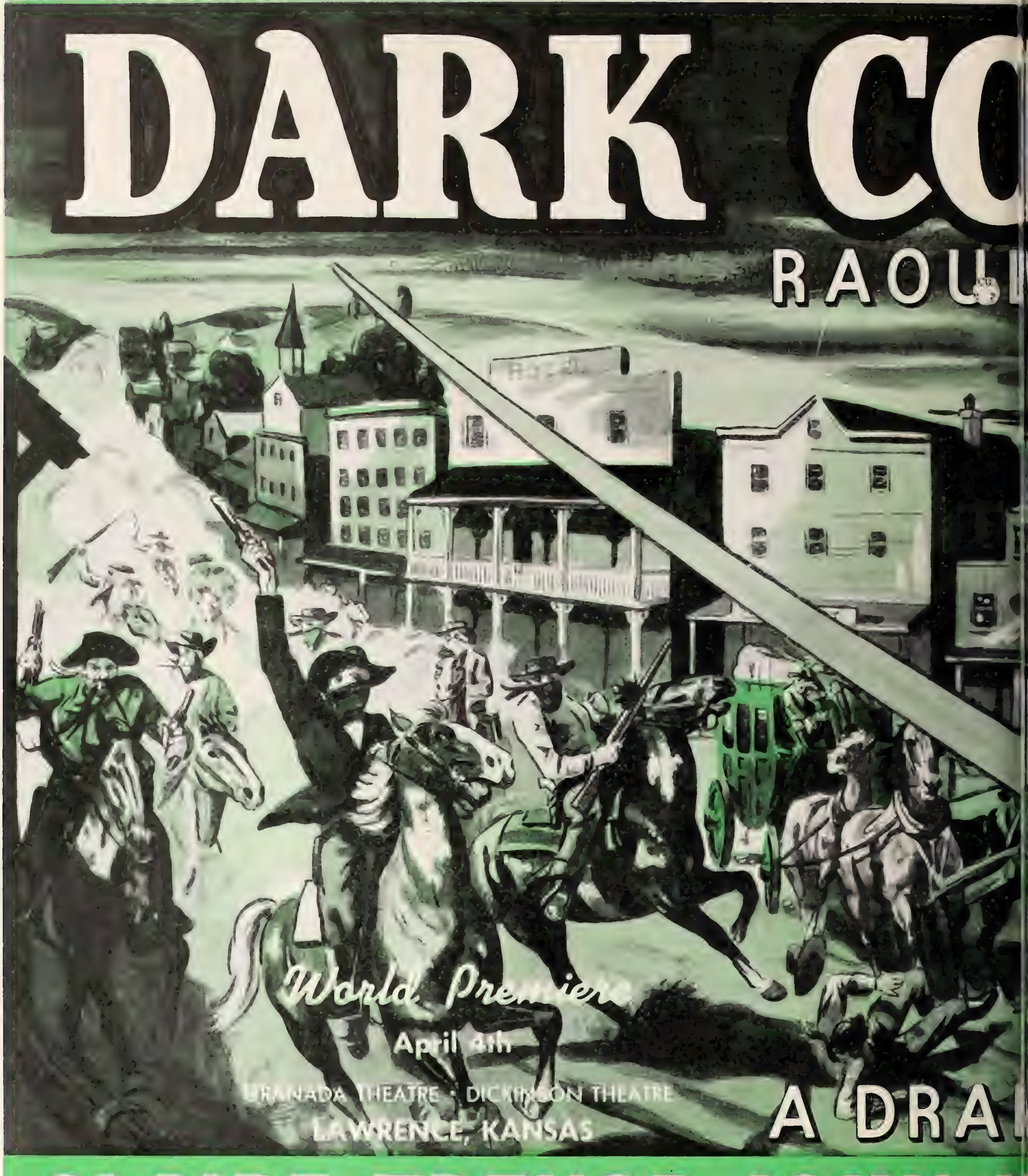
**Opening day of M-G-M's
"BROADWAY MELODY
OF 1940" terrific!**

- beat "Northwest Passage"
- beat "The Women"
- beat "Babes In Arms"
- equals "Boys Town"

HOORAY!

**FRED ASTAIRE
ELEANOR POWELL
"BROADWAY MELODY OF 1940"**

with GEORGE MURPHY, FRANK MORGAN, IAN HUNTER, FLORENCE RICE, LYNNE CARVER. Screen Play by Leon Gordon and George Oppenheimer. Lyrics and Music by Cole Porter. Directed by Norman Taurog. Produced by Jack Cummings. A Metro-Goldwyn-Mayer Picture.



DARK CO

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World Premiere

April 4th

GRANADA THEATRE · DICKINSON THEATRE

LAWRENCE, KANSAS

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CLAIRE TREVOR · JOHN

ROY ROGERS · GEORGE HAYES · PORTER H

A REPUB

mmand
W.ALSH DIRECTOR
A OF UNDYING LOVE
AYNE · WALTER PIDGEON
· MARJORIE MAIN · RAYMOND WALBURN
PICTURE

RADIO PROGRAM REACHES NE
SECOND OF FILM SERIES R

ISTENER HIGH . . .
DY FOR RELEASE!

More millions of people listen to the "Dr. Christian" program over the CBS network today than ever before, according to the newest Crossley rating of radio popularity. Which means more-than-ever fans for this second in the series, presenting the star of the broadcasts, and all the other well-loved characters, in a down-to-earth drama of a small-town doctor.

. . . A truly big attraction for all the folks who know and love "Dr. Christian;" . . . grand entertainment for EVERYBODY!

JEAN
HERSHOLT

THE *Courageous* DOCTOR CHRISTIAN

with

DOROTHY LOVETT • ROBERT BALDWIN
TOM NEAL • MAUDE EBURNE • A STEPHENS-LANG PRODUCTION • Directed by BERNARD VORHAUS
Original Screen Play by Ring Lardner, Jr. and Ian McLellan Hunter

R K O
RADIO
PICTURES

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Mar. 1	Blondie on a Budget (G-C) *Arthur Lake Penny Singleton*	Strange Cargo (A-D) *Clark Gable Joan Crawford*	Rhythm of Rio Grande (G-O) Torpedo Raider (D)	Seventeen (G-D) *Field-Cooper*		Little Orvie (G-D) *Ernest Truex*	Chan in Panama (G-D) *Sidney Toler*	House Across the Bay (A-D) *Joan Bennett George Raft*	Double Alibi (G-D) *Morris-Lindsay*	Dr. Ehrlich's Magic Bullet (G-D) *Ed. G. Robinson*
Mar. 8	Outside the Three Mile Limit (G-D) *Jack Holt*	Ghost Comes Home (D) *Frank Morgan*	Human Monster (A-D) *Bela Lugosi*	Showdown (G-O) *William Boyd*	Pioneers of the West (O) *3 Mesquiteers*	Isle of Destiny (G-D) *Gargan-Ford*			Zanzibar (D) *Lola Lane*	
Mar. 15	Men Without Souls (D) *Rochelle Hudson*	Young Tom Edison (G-D) *Mickey Rooney*	Midnight Limited (D) *John King Marjorie Reynolds*	Women Without Names (G-D) *Drew-Paige*	Forgotten Girls (G-D) *Donald Woods*	Millionaire Playboy (G-C) *Joe Penner*	Grapes of Wrath (A-D) *Fonda-Darwell*		Ma He's Making Eyes at Me (M) *Tom Brown*	3 Cheers for the Irish (G-C) *Priscilla Lane*
Mar. 22	Too Many Husbands (A-C) *Arthur-MacMurray*			Road to Singapore (M) *Crosby-Lamour*	Rancho Grande (G-O) *Gene Autry*	Primrose Path (A-D) *Rogers-McCrea*	Blue Bird (G-D) *Shirley Temple*	My Son, My Son (A-D) *Aherne-Heywood*	It's a Date (G-D) *Deanna Durbin*	Virginia City (G-O) *Flynn-Hopkins*
Mar. 29		Florian (D) *Robert Young*	Son of the Navy (C) *Jean Parker James Dunn*	Farmer's Daughter (C) *Raye-Ruggles*	Ghost Valley Raider (O) *Donald Barry*		Free, Blonde and 21 (A-D) *Bari-Davis*	Over the Moon (D) *Merle Oberon*		
Apr. 5	Blazing Six Shooters (O) *Starrett*	And One Was Beautiful (D) *Muir-Cummings*	Tomboy (D) *Jackie Moran*	Adventure in Diamonds (D) *Brent-Miranda*	Dark Command (D) *Trevor-Wayne*	Courageous Dr. Christian (G-D) *Jean Hersholt* Bullet Code (O)	Stardust (D) *John Payne*	One Million B. C. (D) *Lon Chaney, Jr.*	Half a Sinner (D) *Heather Angel*	It All Came True (D) *Sheridan-Lynn*
Apr. 12	Man With Nine Lives (D) *Boris Karloff*	Dr. Kildare's Strange Case (D) *Lew Ayres L. Barrymore*	Pals of the Silver Sage (O) *Jack Randall*	Dr. Cyclops (G-D) *Albert Dekker Janice Logan*			Viva Cisco Kid (G-O) *Romero*	Rebecca (D) *Olivier Joan Fontaine*	Black Friday (G-D) House of Seven Gables (D)	Gambling on the High Sea (D) *Wayne Morris*
Apr. 19	I Married Adventure (D) *Mrs. Johnson*	Two Girls on Broadway (C) *Turner-Blondell*	Terror of the Sky (D) Colorado Trails (O)	French Without Tears (C) *Drew-Milland*		Beyond Tomorrow (D) *Binnie Barnes*	Johnny Apollo (D) *Tyrone Power*	Saps at Sea (C) *Laurel-Hardy*	Enemy Agent (D) *Cromwell-Vinson*	'Till We Meet Again (D) *Oberon-Brent*
Apr. 26	Doctor Takes a Wife *Ray Milland*	Forty Little Mothers (C) *Eddie Cantor*	Missing People (D) *Will Fyffe Kay Walsh*	The Biscuit Eater (D) *Billy Lee C. Hickman*		Curtain Call (D) *Helen Vinson*	Shooting High (G-O) *Gene Autry*		If I Had My Way (M) *Bing Crosby*	An Angel from Texas (C) *Albert-R. Lane*
May 3	Block "K" Rides Tonight (O) *Bill Elliott*		Cowboy From Sundown (O) *Tex Ritter*	Buck Benny Rides Again (C) *Jack Benny*		My Favorite Wife (D) *Dunne-Grant*	So This Is London (C) *George Sanders*		Ski Patrol (D) *Philip Dorn*	
May 10				Opened by Mistake (C) *Charlie Ruggles Janice Logan*		Tom Brown's Schooldays (D) *Bartholomew Hardwicke*	I Was An Adventuress (D) *Zorina-Greene*		Black Diamonds (O) *Arlen-Devine*	
May 17			Land of the Six Gun (O) *Jack Randall*	Typhoon (D) *Dorothy Lamour Robert Preston*			On Their Own (C) *Jones Family*	Turnabout (D) *Carole Landis Adolph Menjou*	Sandy [illegible] a Lady [illegible] *Baby Sandy*	

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

MARCH 15
Color Classic Cartoon
ANTS IN THE PLANTS

MARCH 22
Grantland Rice Sportlight
TWO OF A KIND

MARCH 22
Popeye the Sailor
STEALIN' AIN'T HONEST

MARCH 29
Cinecolor
UNUSUAL OCCUPATIONS #4

100% BOX OFFICE tested

Four Reasons Cited for Delay Of Trust Trial

(*Continued from page* 1)

are expected to last for two more months.

The third reason is the possibility of Judge Goddard ordering the Government to furnish additional information to majors as a result of a surprise m[illegible] by the defendants for an order to that effect. A hearing is scheduled today on the majors' application.

The fourth and strongest factor for delay is the settlement discussion now taking place in Washington. It is highly unlikely, it was reported, that litigants will go to the tremendous expense of starting the trial when there is a reasonable chance of settlement. In this respect, legal experts have pointed out Section 6 of the Clayton Act which allows a consent decree to be treated as prima facie evidence of conspiracy to monopolize once testimony is introduced before the decree is signed.

Attorneys declare that a consent decree, if granted at all, must be agreed upon before trial to forestall the use of that decree by theatre owners who may bring civil anti-trust suits against the majors.

Loew's Bares $16,000,000 Indebtedness in U. S. Reply

Loew's, Inc., disclosed a fixed indebtedness of $16,081,000 in answers to Government interrogatories in the New York anti-trust suit filed yesterday in U. S. District Court. The answers were recently served upon the Department of Justice but were not made available until their filing.

The replies also stated that the company has no current outstanding loans. Out of 4,000,000 authorized shares of Loew's common stock, 1,665,713 shares are outstanding, the company said. In addition, 136,722 shares of $6.50 cumulative, preferred stock have been issued, the answers disclosed.

Fixed indebtedness is divided into two categories. Listed are $12,331,000 in 3½ per cent sinking fund debentures maturing in 1946 and which will be purchased or redeemed by a sinking fund created by semi-annual deposits of $375,000. Notes totalling $3,750,000 at 2¾ per cent maturing in 1944, payable at $375,000 semi-annually from Feb. 1, 1940, constitute the remaining part of its indebtedness, Loew's stated.

A large number of the answers will remain confidential under stipulation with the Government.

12,132 Houses Now Use Republic Films

(*Continued from page* 1)

is now normal, Siegel said, and he anticipates a substantial increase this year.

Republic's world gross in 1939 showed an increase of almost seven per cent over 1938, Siegel asserted. Last year the domestic gross was $6,169,057 and foreign business $1,793,277, compared with 1938 figures of $5,983,382 domestic gross and $1,504,468 foreign.

The Republic laboratory work represents about 18 per cent of Consolidated's gross volume, Yates asserted.

U.S. Questions Fox Sales Officials Next

(*Continued from page* 1)

mained unchanged for a period of years, Agnew said.

Pre-trial conferences will be taken up by Federal Judge Henry W. Goddard today in an effort to determine whether they are a necessary preliminary to trial of the suit. Judge Goddard will also hear an application of the majors for an order requiring the Government to serve additional information in response to interrogatories.

Defendants charge the Government with breaching a stipulation under which it had agreed to answer consolidated interrogatories of the majors.

Edington Due Here For Product Talks

Harry Edington, RKO executive producer, will arrive from the Coast by train on Monday for new season product conferences with home office executives.

S. Barret McCormick, RKO advertising and publicity director, will arrive by plane with Erich Pommer on Monday. McCormick has been at the studio for the past two weeks conferring on plans for new season's product announcements and campaigns.

George J. Schaefer, RKO presi- is expected back from a Florida vacation early next week for the conferences with Edington, Ned E. Depinet and other home office executives.

W.B. Raises Philly Engineers' Wages

PHILADELPHIA, March 28.—Wage increases over a period of three years are provided in a new contract signed today by Warner theatres here with the Steam & Operating Engineers Union, Local 835.

The contract extends to Aug. 31, 1943. Increases over the present scale of 90 cents an hour are to take effect as follows: 95 cents on Sept. 1, 1940; 97½ cents in September, 1941, and $1 the following September.

Educational Films Urged in England

LONDON, March 8 (*By Mail*)—.The Government is backing a new campaign to foster the use of educational films in reception and neutral areas, with the British Film Institute as its principal agent. The Board of Education will advise and assist, and four regional experts will travel the territories collaborating with local directors of education.

'Rebecca' Into Four Miami Area Houses

"Rebecca" will be playing in four theatres in the Miami area simultaneously by today, United Artists officials report. The picture is playing the Lincoln and Surf in Miami Beach now and will open today in the Miami and Mayfair, Miami.

Basketball Game

A basketball game between the National Screen Service and M-G-M teams is scheduled tomorrow at the Riverside Plaza Hotel.

Patrons Pick Films At Mexican House

Mexico City, March 28.—A novelty film house, whose patrons may choose pictures they want to see, is being arranged here by a group of Spanish political refugees. An office in a downtown building is being remodeled for the theatre, which is expected to open late in April. No picture will run for more than an hour. The theatre is to be operated from 11 A. M to 11 P. M. on a grind policy.

Name Trotta, Berg Trustees of Ampa

In addition to the official slate of officers and directors selected by the Ampa nominating committee, Vincent Trotta of Advertising Accessories and Herbert Berg of Paramount have been nominated as trustees.

Hal Horne, eastern representative for Walt Disney, has been nominated as delegate to the National Chamber of Commerce, succeeding Hap Hadley.

Paul N. Lazarus, Jr., president, has advised members that if an opposition slate is formed it must be presented to the secretary before next Thursday in order to be eligible for the April 11 elections.

Columbia Release

"Three Weeks Together," produced in Britain under the title "21 Days," will be released here next month by Columbia and will be sold on an individual basis. The picture stars Vivien Leigh and Laurence Olivier.

'Love on Dole' Film Banned in Britain

LONDON, March 8 (*By Mail*).—The British Board of Film Censors has refused to sanction the production of a film based on the successful play, "Love on the Dole," unless the script were altered considerably. The play deals in dramatic form with unemployment and has been staged all over the country for some years.

["Love on the Dole" was produced in New York in February, 1936, at the Shubert Theatre by Maurice Barber. It ran for 144 performances.]

A probable reflection of this virtual ban is seen in efforts on the part of Parliamentary spokesmen to raise the matter of film censorship in the House of Commons.

Among these is Tom Williams, Labor member for an industrial center, who takes a great interest in film trade matters. He recently challenged the Home Secretary, asking whether he knew that when the Board had banned the production of a film there was no appeal, that this involved restrictions on popular liberty, and excluded the filming of many national characteristics.

The Home Secretary, Sir John Anderson, however, protested that the last word was always with the local licensing authority and that the Government had no control over the purely trade body, the B.B.F.C.

Lab Union to Dance

Second annual entertainment and ball for the benefit of the welfare fund of M. P. Laboratory Technicians Union, Local 702, will be held Saturday, April 6, at the Hotel Edison.

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
with
CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN
"It's funny, Will, isn't it. We can pack these things carefully enough. But, faith and hopes and dreams, they get smashed no matter what we do."
A Republic PICTURE

Radio Brevities

WMCA yesterday announced that it had filed application with the F.C.C. for permission to build a frequency modulation transmitter, thus bringing the total of applications in the metropolitan area to 11, in addition to the five stations now operating.

The five stations include Major Edwin Armstrong's station at Alpine, the W. G. H. Finch station, and stations operated by WQXR, WOR and NBC. With the exception of the NBC station, the stations are offering regular programs. NBC is engaged in field tests and has no regular schedule.

The 10 previous applicants include Finch, who is seeking a second station, CBS, WOV, WNEW, WHN, the Yankee network, F-M Broadcasting Corp., Muzak, Jerome Raymond, Popkin-Clurman, and World Broadcasting Co.

Back on Air After 20 Years

After an absence from the airlanes of almost two decades, one of radio's first commercial sponsors, Royal Eastern Electrical Supply Co., returns to the air on Monday at 11:15 A. M. over WMCA as sponsor of Jerry Baker and a novachord show. Baker will be heard Mondays, Wednesdays and Fridays.

Six More Mutual Stations

Six new stations of the Mason-Dixon Radio Group in Pennsylvania and Delaware join the Mutual network on Monday. The total number of stations now affiliated with Mutual will be brought up to 130. The stations are WILM, Wilmington; WGAL, Lancaster; WAZL, Hazleton; WKBO, Harrisburg; WEST, Easton, and WORK, York.

Television Theatre for Fair

Despite the F.C.C. rebuke to its merchandising campaign for television sets, RCA will add a television theatre to its exhibit at the N. Y. World's Fair this Summer. A two-story addition to its present building will house an auditorium seating 200 persons, and 10 television receiving stations decorated as living rooms.

Personalities in the News

Ann Cornish, formerly with Benton & Bowles and CBS, has joined the staff of WQXR to take charge of the station's research department. . . . Nan Sunderland will play the leading role in "Grand Central Station" show over CBS on Friday, April 5 at 10 P.M.

Program Notes

Paul Reynaud, new premiere of France, will be heard on CBS, NBC-Red and Mutual on Saturday at 6 P. M. His talk will include answers to questions previously submitted by Eric Sevareid, CBS correspondent, and Paul Archinaud, NBC correspondent. . . . Cities Service Co. yesterday renewed the "Cities Service Concert Hour" for an additional 13 weeks, effective May 3. The concerts, which began Feb. 18, 1927, are the oldest, continuous commercial program, according to NBC.

New York Review

"Ghost Valley Raiders"

(Republic)

Republic has launched a new series of westerns with Donald Barry as the featured player and "Ghost Valley Raiders" as the first film Barry's role is best described by the pressbook theme, "He rides hard, shoots straight, fights fair."

As a hard riding, straight shooting, fair fighting Government agent, he sets out to uncover a gang of stagecoach bandits who have completed several successful raids. Known as "The Tolusa Kid," a bad man from the Dakotas, he joins the gang and obtains the evidence necessary to convict its members.

Although there is no singing in the film, Cy Feuer has provided a first rate musical score to accompany the action. Leroy Mason, who is a familiar villain of the westerns, gives him able support, as does Lona Andre who provides the romance. Action film fans who like their westerns with lots of fights and without the embellishments of songs which slow the plot, should approve of "Ghost Valley Raiders."

Associate producer George Sherman directed. Bennett Cohen wrote the screenplay from an original story by Connie Lee.

Running time, 57 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Hearing Is Planned On Scenic Art Fight

HOLLYWOOD, March 28.—Walter Spreckels, regional director of the N.L.R.B., said today he is arranging for an open hearing to determine whether the Moving Picture Painters Local 644 or the Scenic Arts Association should represent the scenic artists.

The union had threatened to send a representative to Washington unless action is speeded on its application for certification as bargaining agent.

Spreckels today dismissed charges of failure to bargain brought by the Scenic Arts Association against the producers. Last year's so-called consent election, when the association was certified, was declared void because the producers had not approved the voting.

N. L. R. B. Official On Hollywood Visit

HOLLYWOOD, March 28.—Nathan Witt, secretary of the National Labor Relations Board, arrived here today, but said his visit had nothing to do with motion picture cases pending before the N.L.R.B.

'Wind' Now Going Into Small Houses

With completion of the majority of key theatre engagements of "Gone With the Wind," the film is being booked by M-G-M into small town houses.

The film to date has been set for 1,417 runs in 1,288 cities. About 1,000 of these engagements have been completed.

The picture yesterday started seven-day engagements at 11 additional Loew theatres in Greater New York. Seven more theatres in the circuit will get the film next Thursday, and 14 additional Loew runs will start April 11.

M-G-M is now accepting four-day engagements for small towns.

E. K. Expands Exhibit

Eastman Kodak plans extensive alterations at its World's Fair exhibit this year. Last season it was attended by 4,000,000 visitors. This year there will be a special fashion show and a greater color photography display.

Metro, RKO Study Detroit Censorship

William F. Rodgers, M-G-M general sales manager, has instructed J. E. Flynn, district manager at Chicago, to make a first-hand investigation of the banning of "Strange Cargo" by the Detroit censor.

M-G-M plans to obtain a review of the censor's decision and will appeal to the courts only as a last resort. Its action will depend on the report Flynn will make to the home office. The film was banned on the ground that it is "obscene and indecent."

RKO, whose "Primrose Path" was similarly banned by the Detroit police, has made no decision yet on what action it will take in the matter, it was stated at the home office. Company representatives in Detroit have been asked for a report on specific objections made by the police committee.

F-M Hearing Ends; Television Defended

WASHINGTON, March 28.—Assignment of the television channel now utilized by RCA for the use of frequency modulation transmission would cost RCA at least $100,000, Elmer W. Engstrom, director of general research for RCA Manufacturing Co., told the F.C.C. today as the F-M hearing ended.

Educational and other organizations asked the F.C.C. to refrain from interference with the 41-42 m.c. band is now assigned to non-commercial broadcasting.

Engstrom urged strongly that there be no disturbance of television channels in assigning frequencies for F-M. He declared that every one of the channels now provided will be efficiently used and added that a re-allocation at the present time would seriously delay television.

Alger Awarded $7,500

George W. Alger, who confirmed the plan of reorganization of RKO as special master, was awarded $7,500 yesterday by Federal Judge William Bondy as a final allowance. Previous allowances to Alger in RKO proceedings totalled $34,500.

Holiday Provides Boxoffice Punch

(Continued from page 1)

held. "It's a Date" finished its first week at the Rivoli with an estimated $32,000 and will be held indefinitely.

"Road to Singapore," with Tommy Dorsey's band on the stage, started its third week on Wednesday at the Paramount, and drew an estimated $13,500 for that day and yesterday. It will go four weeks.

"Young Tom Edison," in addition to the stage show, grossed an estimated $99,000 in its second week at the Music Hall. "Northwest Passage" was good for an estimated $30,000 in its third week at the Capitol. "Pinocchio" drew an estimated $25,000 at the Center in its seventh week and will close its run on Sunday.

Despite opposition from RKO neighborhood houses and the Palace on Broadway which are now playing "Pinocchio," it appears to be headed for $18,000 for its final five days at the Center.

Britain Keeps Quota; No War Revisions

(Continued from page 1)

that body is now in recess until late in April.

However, it is understood that the Board of Trade in the interim may modify existing regulations in view of the war emergency. It is believed the aim of any changes in the law will be the protection of British production.

It is considered extremely unlikely that new film legislation will be introduced in Parliament when it reconvenes, but will be held over until the Fall session.

Pathe Foreclosure Threat Against PPC

HOLLYWOOD, March 28.—Creditors of Producers Pictures Corp. today were given 10 days by Pathe Laboratories, Inc., to sign an agreement giving Pathe full power to take over seven of the defunct company's completed pictures.

If unanimous consent of the creditors is not obtained, the Pathe alternative will be to foreclose on the pictures, since Pathe is the only secured creditor, according to Robert Benjamin, Pathe attorney.

Name Allied Committee

CHICAGO, March 28.—Jack Kirsch, president of Allied of Illinois, has named a committee of local women in charge of women's activities at the national Allied convention at the Morrison Hotel here June 19-21. The committee includes: Mrs. Abe Fader, Mrs. Jack Rose and Mrs. Elmer Benesch.

Ask AFA Disbursement

Application will be made today to N. Y. Supreme Court Justice McGeehan by Frank E. Lynch for permission to discontinue the Death Benefit Fund of the American Federation of Actors and to distribute to members $17,000 now held. Since the charter of the A.F.A. was revoked by the A.F. of L., members have voted for discontinuance of the fund, Lynch, a trustee stated.

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